



00: ~~1~~: 9 .

†

~~WITHDRAWN~~

37635/B

MORGAN, Sir T.C.

1916

SKETCHES

THE PHILOSOPHY

MORALS.

SKETCHES

OF

SIR T. C. MORGAN, M.D.

THE PHILOSOPHY

OF

MORALS.

LONDON:

PRINTED FOR HENRY COLCLOUGH, 25, ST. MARK'S LANE.

1821.

SKETCHES
OF
THE PHILOSOPHY
OF
MORALS.

BY
SIR T. C. MORGAN, M.D.

FELLOW OF THE ROYAL COLLEGE OF PHYSICIANS, LONDON; AND AUTHOR OF

“SKETCHES OF THE PHILOSOPHY OF LIFE,” &c. &c.

“Animus adeo à temperamentis, et organorum corporis dispositione pendet, ut si ratio aliqua inveniri possit, quæ homines sapientiores et ingeniosiores reddat, quàm hactenus fuerunt, credam illam in medicina quæri debere.” *Descartes.*

“In our present state, the operations of the mind so far depend on the right tone and good condition of its instrument, that any thing which greatly contributes to preserve or recover the health of the body is well worth the attention of the mind.”

Bishop Berkeley's Siris, vol. 1.

LONDON:
PRINTED FOR HENRY COLBURN, AND CO.

1822.

SKETCHES

THE PHILOSOPHY

MORALS.

SIR T. C. MORGAN, M.D.



LONDON:

PRINTED BY COX AND BAYLIS, GREAT QUEEN STREET,

LINCOLN'S INN FIELDS.

329901

TO
M. DESTUTT, COMTE DE TRACY,
PEER OF FRANCE,
MEMBER OF THE INSTITUTE OF FRANCE, &c. &c.
THE LEARNED AND ELEGANT AUTHOR
OF THE
“ ÉLÉMENTS D'IDIOLOGIE;”

THE
SUCCESSFUL FOLLOWER OF LOCKE AND CONDILLAC
AN HEREDITARY NOBLEMAN,
BUT A STRENUOUS ASSERTOR OF LIBERTY;
A MAN OF INDEPENDENT FORTUNE,
BUT A
DILIGENT AND UNWEARIED CULTIVATOR OF SCIENCE,

This Work,

COMMENCED UNDER THE INFLUENCE OF HIS ENCOURAGEMENT,
IS DEDICATED,

BY HIS MOST OBEDIENT SERVANT, &c.

T. C. MORGAN.

CONTENTS.



	Page
PREFACE	ix—xxix.
CHAP. I.	
Of Organization in its Relation to Morals	1
CHAP. II.	
Of Liberty and Necessity	67
CHAP. III.	
Of the Origin and Development of Moral Ideas	99
CHAP. IV.	
Of the Physical Causes which have contributed to Moral Development	149
CHAP. V.	
Of the Influence of Institutions on Morality	239
CHAP. VI.	
Of Right and Obligation	295
CONCLUSION	363

ERRATA.

Page	line			
13		ulta, for	supervenes	read supervene
24	7		who	who have
28 (note)	2		they are	it is
33	13		mixture	mixtures
46	18		Condorcet	Condillac
65	17		doctrines	doctrine
—	18		authors	advocates
73 (note)	6		à	là
79	21		or other	another
89	23		the power, the reason ;	the power ; the reason,
95 (note)	1		ἐλλειπον τα	ἐλλειποι τα
—	4		οεν	ουν
105 (note)	5		renders	render
117 (note)	5		que	qui
125	8		dele " rendered "	
132	11		excited	exerted
134	11		reflections	inflexions
153 (note)	6		βροδονς	βροδoις
164	10		its	their
173	27		natural	national
177	14		fact	part
188	25		than	than the Romans
221 (note)	5		natural	national
261	17		was	were
285	5		their	its
314	6		come	comes

P R E F A C E,

CONTAINING SOME

OBSERVATIONS ON "THE REMARKS ON SCEPTICISM"
OF THE REV. T. RENNELL.

THE following volume is offered to the public as a necessary sequel to the "Sketches of the Philosophy of Life."

The hostility excited against the doctrines laid down in that work, though less remarkable for cogency of argument, than for virulence of invective, has not been without effect, in prejudging the questions at issue, and in giving false notions of views, that have received the sanction of the most distinguished continental philosophers,—views that seem exclusively calculated for advancing both physiological and moral science, by clearing them from much of the mystery and confusion in which they have hitherto been so inextricably involved.

Of all the reviews and criticisms on the "Sketches of the Philosophy of Life," and on those parts of Mr. Lawrence's Lectures in which that able physiologist has given to the author the advantage of his concurrent opinion,

not one has exhibited a sufficient knowledge of the matter in debate.

The reverend author of the "Remarks on Scepticism" more especially has come to the discussion so unprepared with a knowledge of his subject, and of the views of his opponents, that he has mistaken the definition given by them, of the sense in which they use the *word* life, for an attempted explanation of the *thing*; though the manifest scope of this part of their works is to deny our acquaintance with any principle corresponding with the word, in this its more usual and ordinary signification. The definition expressly states, that the term is employed as a general representative of *vital effects*; and yet the critic believes, or affects to believe, that, in giving it, such writers as Bichat and Mr. Lawrence could have imagined themselves occupied with the consideration of *vital causes*.

The animosity of this author, and of the reviewers who have followed in the same strain of argument, originates in another blunder, scarcely less extraordinary in persons much accustomed to metaphysical discussion; namely, in a supposition that the doctrine of the immortality of the soul is endangered by a sceptical inquiry into the causes of animal and vegetable life. Locke, in his letter to the Bishop of Winchester, quoted in the Essay on the Human Understanding, has pointed out in vain the consequence of thus coupling two subjects, totally independent of each other; a method which likewise subjects a dogma resting solely upon moral proofs, to all the variations which daily occur in natural science. Animation, he justly observes, is a condition common to man, and to the lowest insect and worm; "and to say that fleas and mites have immortal souls, will possibly be looked upon as going a great way to serve an hypothesis." The Christian Advo-

cate, however, the *malleolus hæreticorum*, the left arm of Cambridge polemics, in his eagerness to attack doctrines which he imagines will reduce man to the level "of the grass he treads upon," jumps this conclusion, and seems for a while contented that when he goes to heaven,

His faithful *flea* shall bear him company.

But after having fought his way through pages of life and organization, and thought and matter, and substance and qualities, he turns suddenly round, and pressed by the identity of sensation in all animals, abandons his flea to its fate, and contends that the soul of brutes, though necessarily immaterial, is not necessarily immortal.

The hypothesis of the spiritual nature of the soul, however, has been conceived for the sole purpose of supporting its immortality. Philosophers having found, or imagined, in the endless mutations of matter, a positive objection to a future state of material existence, the notion of an immaterial soul has been adopted merely to satisfy our "longing after immortality," by finding a subject to which we might attribute an imperishable nature. Immaterial beings, it is contended, have no parts, therefore they cannot be decomposed;—therefore they cannot perish. Reposing upon this conclusion, the spiritualists have assumed that matter cannot think; and having inferred that the thinking principle must be spirit, they have imagined that they have thus arrived at a demonstration of the immortality of the soul. Placing this chain of consequences apart, the living principle of animals may, for any thing the divine has to say to it, be whatever it pleases, organization, electricity, matter, or spirit. The immortality is the end and object of the whole theory; and this confounding the theological with the physiological first principle, has led the Christian Advo-

cate into a dilemma, the consequences of which, he seems by no means to have foreseen.

Granting him, upon his own terms, a possible immaterial essence not necessarily immortal, for the animation of brutes, there is abstractedly no reason why man also may not live, and have his being in the same cause ; and thus Mr. Rennell becomes as formidable an opponent to the true faith, as favourable to religious scepticism as any of the physiological writers whom he has placed on his own *index expurgatorius*. Thus is he by his own efforts thrown back upon moral arguments, and forced to abandon the ground he has striven to wrest from physiology. In the field of moral argument he is in his own province—*Illá se jactet in aulá* ; and if he had confined himself to it, without going out of his way, for the purpose of dragging natural science *coram non judice*, and subjecting it to the inquisition of incompetent dogmatists, he would have been spared the disgrace of losing his temper and his time, without having conferred any benefit on the cause he has laboured to defend.*

* Nothing can be more false than the consequence thus drawn from physiological materialism ; that if, once admitted, “ the immortality of the soul, and with it every thing that distinguishes man from the grass upon which he treads, is utterly annihilated.” Divines have incautiously reposed too much on arguments drawn from speculative opinions concerning life ; and therefore naturally feel uneasy at finding the ground thus taken tremble under them. The subject, however, is not new ; the danger has been foreseen long ago, and the ground abandoned by the best authorities. If, indeed, the two propositions be thus connected, the immortality of the soul must be abandoned, or a soul given not only to brutes, but to every material form, exhibiting energies, however limited. For it cannot be allowed that men should reason on different principles on different occasions, to suit the convenience of an hypothesis. If thought and sensation do require an immaterial cause, merely because they cannot be explained in the present state of our knowledge, so also do gravitation, magnetism, &c. &c. We know a few of the laws under which these properties are manifested, but we know nothing of their origin.

But if the learned theologian had made good his case, and established the existence of his immaterial destructible agent, it would still have been unreasonable in him to expect that it should become the subject of anatomical demonstration ; and to be displeased with Messrs. Lawrence* and Bichat, because they did not put it in a bottle, and hand it round their class with their other preparations.

The truth, however, is, that Dr. Rennell, and the Reviewers in general, do not understand the dispute which physiologists have raised among themselves ; and seem not to be aware that, whatever may be the opinions of Bichat and his followers, as men, upon religious subjects, they were less attacking the dogmas of religion, in their writings, than certain physiological notions current in the profession.

The whole subject in dispute among physiologists, concerns the existence of a *material* principle of life ; nor would any philosopher in these days investigate the action of an immaterial agent, whose operations, *ex vi termini*, are placed beyond the reach of our comprehension. John Hunter (not to go into the antiquity of the doctrine) employed in his reasonings an hypothetical

Either matter is or is not endowed with energies. If it be not, then *all its forms* must be extrinsically animated or thrown in motion by the activity of spirit : if, on the contrary, it be in any degree self-energized, the peculiar conclusion respecting organized bodies is at least premature.

* In defending Mr. Lawrence upon the general scope of his work, namely, upon his doctrines concerning life, I do not consider myself as becoming responsible for all the occasional sentiments he may have published : they may be true or false, well or ill timed, without affecting the main argument. I state this, not as declining to navigate the sea of public opinion in the same bark with Mr. Lawrence ; but to guard against a petty cavil founded on any passage in his works, either not in my recollection, or not immediately bearing upon the position itself, I am endeavouring to make good.

ens, which he called the “*materia vitæ diffusa*,” and which he brought into action to solve many difficulties respecting vital phenomena. Dr. Darwin made use of a “spirit of animation” for the same purpose, which he likewise regarded as a material principle: and Mr. Abernethy (whom no one who knows him will doubt being as pious a Christian, as he is a profound anatomist), imagines that he traces the intervention of electricity, or of some analogous fluid, in the actions of the living machine. If the attributing animation to a material agent be indeed materialism in religion, then are these authors as much materialists, as those whom Dr. Rennell attacks. Dr. Darwin, indeed, was, in his time, subjected to much obloquy, as holding opinions not very favourable to the orthodox creed.

In opposition to this hypothesis, which has practically been found to reflect no light upon science, but rather to confuse some particular points, the French physiologists have denied that any traces of such an agent are discoverable in the phenomena; and assert that, in agreement with the soundest principles of philosophy, we should stop our reasonings when we have no longer a clue to guide our inquiries.

Accordingly, having traced the functional powers to certain elementary formations which they term “tissues,” and being wholly unable to carry their investigations further, they consider these tissues as the elements of their science; exactly as the chemists consider certain substances elementary, subject to the correction of ulterior discoveries.*

* Although this, in appearance, be the great object of complaint, perhaps the really sore spot is the assertion that the brain is the organ of thought, and that sensation and reflection are its functions, as the secretion of bile is that of the liver. These two propositions rest on the same evidence, and if

If, then, the French physiology be hostile to religion, so is that to which it is opposed; and there is nothing either novel or extraordinary in the relations of the science to religious dogma. It is singularly hard and unjust, therefore, to blame a few individuals for a fault, which, if it exists, lies in the pursuit itself. In truth, however, there is not in the doctrines of Bichat, and his followers, any dogmatic assertion concerning the cause of life. They do not deny the *abstract possibility* of a material cause; nor do they embarrass their subject with considerations of an immaterial one; because, even taking that as a *datum*, it cannot by possibility enter into their inquiries. In assuming the elementary organizations as the first cognizable causes of living action, they neither explain life, nor pretend to do so. Their doctrine may be true, and the dogma of immortality may be true also: or both may be false; or either may be true, and the other unfounded.

What is called the *knowledge* of a natural phenomenon, is the power of referring a particular to a general fact. When we say that a stone falls by gravitation, we are technically said to explain the appearance. All first causes, therefore, inasmuch as they are first, must necessarily be unknown: and Newton, in discovering the *law* of gravitation, has not enlightened us as to the *cause* by which

if the brain be regarded only as the instrument of thought (I wish Dr. Ren-
nell would explain what he means by this, or how a being can use an ex-
ternal agent* to do that, which it is an inherent property of itself to perform),
then we may infer, that the soul equally performs all the animal functions,
which reduces it to what has been termed a vegetative soul,—a species of no
great use to the divine.

* If the soul employs the brain as an instrument in the act of thinking,
then thought is a joint product of the energies of the soul, and the properties
of the organization; and this being admitted, it follows, that the soul, *per se*,
is incapable of the function.

that tendency is produced. Should gravitation ever be discovered to reside in some particular form of matter, such as light, heat, or electricity, the inquiry would only be removed a step further; and we should still have to seek why that substance makes ponderable matter gravitate, instead of inquiring, as at present, why matter in general does so. A first cause being unknown as an effect, cannot, by definition, be comprehended by the human intellect.

For this reason, a rigorous demonstration of the existence of a Deity, from an inspection of nature, is impossible; and all physico-theological arguments, that tend beyond *probability*, are illogical and inconclusive. For the same reason, dogmatic atheism is an absurdity, and the author of the "*Système de la Nature*," as unreasonable as the most idolatrous asserter of some capricious and impassioned phantom, which he calls his god.

To place the credibility of a future state of existence upon a physiological necessity, is to take up a weak and a dangerous position.* It is a mere *argumentum ab ignorantia*, liable to be affected by any change in the state of science; nor, indeed, can it be admitted, as long as any one property of matter remains uninvestigated: but, since we can never be certain that matter has not properties which escape the senses, and that it does not exert energies which stand not in relation with our limited organs, such an argument must ever remain inconclusive. In one word, we must know all that matter can do, before we are warranted in asserting what it cannot do.

On the other hand, if the physiologist be expected, in compliance with the religious opinions of the dominant

* See Letter on the imputed Immateriality of the Soul, to Dr. Rennell.

caste, to commence from the existence of an immaterial soul as an axiom, and to adopt that as the hypothetical cause of life, he is not only met *in limine* by Locke's objection, but by the unfruitfulness of the *datum*, which is an explanation of the *ignotum* by the *ignotius*, and leads to no useful scientific conclusions.

If the soul be the cause of living phenomena, it is the cause which determines the elements to unite in animal compounds, and prohibits them from entering into that chemical union which their affinities, when left to themselves, necessitate. It therefore must exert a chemical action on matter, and must consequently be material itself; and being so, must suffer the reactions of the body, and be modified by its union with it.

Being material, it must either be a monade indestructible, and therefore incapable of suffering either pleasure or pain; or it must be a compound, and thence of necessity not immortal. On all sides, therefore, there is a direct incompatibility between the two dogmas of the soul being the principle which animates matter, and at the same time the principle of eternal existence.

The doctrine of theism, in like manner, is independent of physiological discussion, and cannot safely repose upon that basis. If the phenomena of life were traced to the laws of ordinary inorganic matter, this would make no change in the general argument. The fall of a stone is as much a *dignus vindice nodus*, as sensibility and muscular movement; and (to those who are disposed to admit the inference at all) as conclusive evidence of a Deity. But if the existence of that Being be conceded, the direct animation of matter affords as ample a scope for the manifestation of his power, as the attainment of the same end through the agency of spirit. Men very commonly reason as if the devil had made matter; and

as if it were necessary to travel out of the visible world, for proofs of divine energy and perfection.*

But whatever may be the theological inferences justly drawn from scientific premises, they are indifferent to the pursuits of science itself. The business of the physiologist is to examine the structure and functions of organic beings, and to reduce them to the simplest generalities; and it is his bounden duty to cast aside whatever is mere matter of opinion, and to exclude all considerations not founded on observed fact. He is departing from all legitimate method, and leading his pupil most fatally astray, when he introduces an hypothetical agent, merely because he cannot explain the facts that are before him. It is imperative upon him fearlessly to follow the indications of nature, and to state things as he finds them; secure that the Deity cannot be inconsistent with himself, and that things visible are the sole infallible criterions of the things invisible.

* Men reason as if governed by an invincible notion that matter is eternal; and that it is necessary to find something in the phenomena of creation, which is extrinsic to matter, in order to prove the existence of a Deity. But matter and spirit are terms which represent no precise ideas: we know absolutely nothing of spirit, nor indeed are we acquainted with matter, except in as far as it affects our senses—we can therefore infer nothing with safety from such premises. Immateriality is assumed, in order to arrive at immortality. But if all immaterial forms are immortal, then the eternity of the soul, *à parte priori*, follows of necessity; and thus the doctrine of an immaterial soul subverts, instead of upholding, the doctrine of our subordination to an omnipotent Creator. On all hands, we have doubts, contradictions, and absurdities: and the rashness and presumption which mistake the ideas and terms we are compelled to form by the operation of externals on our senses, for the representatives of necessary existences, can end in nothing but disappointment. We know nothing of the origin of things, we can know nothing of them; we talk but of our own conceptions; and they surely are not sufficient causes for the virulent intolerance and odious persecution, which disgrace alike all dogmatizing sects.

In pursuing this path, he may encounter the cabals of the interested or the bigoted; nay, he may have to struggle against the operation of laws, as little creditable to the religion, as to the illumination of the age; or against decisions, which tend to the extinction of all liberal inquiry. But he may be consoled with the reflection, that his conduct is approved by the enlightened and the good; and that he has, to the extent of his means, supported the cause of truth, and forwarded the interests of humanity.

The alliance of moral and physical verity is a deduction so closely following from the unity of the Godhead, that it is scarcely possible to avoid doubting the sincerity of those who are scandalized at any effort to enlarge the domain of natural science. They seem to betray an almost instinctive consciousness, that all is not sound in their own creed: and most assuredly, the man who claims from us the sacrifice of our reason,—the best and the greatest gift of heaven,—is either a plain knave, or a man of the weakest intellects.

Conscious that physiology affords no legitimate argument, either for or against certain religious opinions (except in respect to the single false inference of the *physical necessity* for an immortal and immaterial cause of organic phenomena), the author of the *Sketches of the Philosophy of Life* sedulously avoided involving a positive science in the discussions of mere faith. He has expressly stated, (*Phil. of Life*, p. 281), that the physiological opinions there advocated, had no necessary “relation whatever to the doctrine of an immortal soul,” and he sanctioned the assertion by the authority of Bishop Watson;* who, as

* “These dogmas rest entirely on Scripture authority; and the soundest divines have refrained from mingling philosophical investigation with religious faith.”—*Watson's Memoirs*, vol. i.

a sound Christian, and a philosophical chemist, was well able to assign the bounds which separate science from religion.

Although, therefore, it is freely admitted that the manner of reasoning employed in that book might be dangerous to a false religion, and tend to establish habits of thought fatal to whatever, not being of God, is fraudulently imposed upon our credulity, yet the author had hoped, that confining himself within the strict limits of his professional pursuits, common modesty might have prevented an interested or a deceived opponent from openly oppugning either his liberty of thought or the purity of his intentions. At all events, he felt secure, that, if the jealous susceptibility, with which corps almost universally defend the outworks of their interests, should lead a clergyman to suspect for a moment that his own faith could be endangered by free inquiry, and not to rely with implicit confidence upon its necessary agreement with nature and science, he would at least have argued with calmness, refuted with temper, and, above all, abstained from virulent invective, and the imputation of motives, which are, at least, as injurious to the accusers as to the victims of their animosity. It was not, therefore, without surprise, that on taking up the pamphlet of the Christian Advocate, the object of his attack discovered in it as little of the charity of the Christian, as there was capability in the advocate,—while the ignorance of the sciolist was rendered more offensive by the persecuting zeal of the bigot; and he felt for his *alma mater* in beholding the name of her officer appended to such a production.*

* “ And painful indeed it is, if not ludicrous, to perceive at this era of the world, and issuing from such a body, a grave and applauded endeavour to chase away that heresy, with as much of (I must say) intolerance and com-

The Christian Advocate should have recollected, that he was not unanswerably intrenched within his pulpit ; but addressing the public through a medium that knows no privileges, and places the combatants, whatever may be their station, on a perfect equality,—save only in as far as their arms may differ in temper, or be wielded with various dexterity. He should have known, too, that the arbitrators in his quarrel will not endure the insolence, which arrogates to itself a monopoly of virtue, and sees nothing in opposition, but deliberate malice. They will not bear to be told, that the Humes, the Gibbons, and the Bolingbrokes, adopted their reasonable doubts upon controversial points to justify an “ INDULGENCE OF LICENTIOUS HABITS ;” or that this “ INDULGENCE IS THE UNIFORM END AND DETERMINATION OF ALL THEIR OBJECTIONS AND OF ALL THEIR PRINCIPLES.” They will not submit to hear men of pure life and unblemished morals, men of painful research and deep inquiry, taxed “ with debauchery,” with “ pride,” or with “ ignorance,” because they were not possessed of the myopic intellects of the “ Christian Advocate,” or were divested of that shallow, self-centred complacency, which rests indolently satisfied of the infallibility of its own first impressions.*

mon place, as if the existence of every principle sacred amongst men depended upon his success. At the door of an inquiry which ought to have been STRICTLY PHILOSOPHICAL, we are saluted with a homily on faith, and reason, and prayer, and scripture, on the French Encyclopædia, and sundry newspapers, and the Edinburgh Review, and I know not what besides : all because he has chosen to fight a phantom of his own raising.—Alas, poor Cambridge ! ill had it fared for thy renown, had all thy sons thus reasoned ; and happy, if all the splendour of thy Barrows and thy Newtons can cover the dishonour of harbouring such a theology as this.”—*Letter on the imputed Immateriality of the Soul, to the Rev. T. Rennell.*

* When an individual holds an opinion which is the source of great gain to him, and defends that opinion without candour or calmness, calling per-
haps

At the period when this publication first saw the light, the author of the "Sketches," happened to be on the Continent, and his mind was pre-occupied with other pursuits. Feeling, moreover, that there was nothing in its pages which might not be answered by any junior Soph, and that its arrogance and virulence called only for derision, he decided to refrain from immediate reply, and to dismiss the book and its objections with a *valeant quantum valere possunt*. The sum, indeed, of accusation personally directed against himself (excepting always that which places him in the category of "*licentious, proud, or ignorant sceptics*," an accusation which being shared with Hume, Voltaire, &c., might patiently be borne by individuals less humble and more conspicuous than he), amounted to little more than an attempt to smuggle Julius Cæsar, as an *authority*, under the disguise of Cicero; and the having framed a metaphor on a page of Spallanzani, when in contradiction with Virgil: both of which faults might have been committed, without materially weakening the positions of the writer.

But though, in point of argument, self-defence did not require a reply, yet the calumnious attack upon the moral tendency of the doctrines which the author of the Sketches, in common with writers of more eminence, has advo-

haps upon the Legislature to punish those who are disposed to doubt its truth, it may reasonably be inferred that the motives of that individual are not pure; that he is, at least, as strongly sensible of the utility of the dogma to himself, as he is of its truth. Yet should any one call the Christian Advocate by an offensive appellation, and accuse him as liberally of fraud and hypocrisy, as he has accused the philosophers of pride and luxury, he would make a strange outcry. On the other hand, if his accusation were founded, and if philosophers had the modesty to ensconce their bad habits behind sophistical opinions, it might be asked, if they were worse than many divines, who unblushingly lead lives in direct opposition to the sacred doctrines they are paid to inculcate.

cated, did seem to call for some notice; and the fanatical and clamorous outcry of the Christian Advocate, ludicrous as it was,* has operated as a motive for placing without delay, before the public, a slight outline of the moral system which may be deduced from the physiological truths contained in the previous publication.

All are not judges of a philosophical argument; but every one can see that what unhinges society, and encourages vice, is odious and despicable; even if, *par l'impossible*, it really were physically true. It seemed, therefore, necessary, to follow up the work already produced, with another, displaying the practical consequences which flow from its tenets; in order to shew that the scepticism with which it was taxed, leads to no such laxity of morals, as "Christian Advocates" might be pleased to deduce from any system they may deem hostile to a stipendiary hierarchy: but that the obligations to virtue in all its branches, which nature has woven in the combinations of the visible world, are, at least, as powerful, peremptory, and efficient, as any which rest on the best religious system,—subject to various explanations,—of various credit,—and which sanctions its decrees by penalties, neither necessarily nor strictly applicable to every offender.

Any system which assumes the material world to be so defective and imperfect in its moral springs, as to render supernatural punishments absolutely necessary for its continuance (thus subordinating eternity to temporal interests), seems so derogatory to that consummate wisdom which is believed to have framed and created all things, that from the first it is liable to much suspicion. That man should have been so organized as to be totally unfitted for maintaining the social union necessary to his

* Rien n'ôte l'envie de rire, comme la peur d'être lapidé.

existence on earth, without the influence of motives derived from heaven, is in itself extraordinary; but that such should be the case, at the same time that religious truth is wrapped in so much mystery and darkness, is a conception still more difficult to conciliate with divine wisdom and goodness. It is scarce possible to credit that the labours of all the philosophers and theologians from the commencement of recorded time, should have been insufficient for establishing incontrovertible religious truths; if those truths be, indeed, essential to the temporal well-governing the world; while we behold the movements of the vilest weed, of the meanest lichen, directed with unerring precision.*

The object of the present work is, the discovery of those principles which an observation of nature and simple experience can unfold. It is not intended to call in question any of the great dogmas of European credence; but, setting them for the moment on one side, to examine whether nature itself does not inculcate to us those moral duties which the interpreters of religion profess exclusively to teach: and, therefore, whether the dryest sceptic has not within his own bosom motives for moral conduct, at least sufficient to emancipate him

* The system of morality which is to be found in divine revelation, refers to the relation established between God and his creatures: natural morality belongs more immediately to that between man and man. They cannot, indeed, be contradictory: but the latter being amongst the best *criteria* for examining the former, it is eminently necessary that they should be studied apart. Certain persons have endeavoured to shew that the religious sanction is absolutely necessary to the purposes of civil society, in order to uphold the fatal alliance of the throne and altar. But society has existed under all religious systems, the false and the true alike; the object, therefore, of religion is another world; its influence on this is incidental, and the consequence merely of its flowing from the same will, which called the visible world into existence.

from the sneers and uncharitable suspicions of that class of men to which the Christian Advocate and his *collaborateurs*, in the Reviews, belong : a class which it is not very necessary, in the present instance, more particularly to define. Granting the verity of religious dogmas in their fullest extent, eternal existence cannot be subordinate to the mere purposes of this transitory life ; the temporal being rather dependent on eternal interests : and we may be permitted, without censure, to examine what is the physical origin of moral obligation ; and what the sublunary sanction of moral conduct.

If it be admitted that our being, here and hereafter, flows from the wisdom, power, and benevolence of the same Great Cause, our interests in these two states cannot be contradictory. False systems of religion, alone, can be injured by the study of nature. If any churchman (no matter what his creed, Mahometan, Christian, or Hindoo) is pleased to consider a code drawn from this study as dangerous, he is in the first place bound to shew that it is falsely deduced from the facts. For every attempt to decry it by invectives and denunciations, is *primâ facie* evidence of an apprehension of being detected in contradiction with the great book of Nature, and with that eternal doctrine, which Providence has disclosed in it.

If it were true that any set of opinions really justified what is considered as self-abandonment, and indulgence in licentious pleasures, that circumstance would be sufficient to cast much suspicion on their truth ; but if, on further inquiry, the opinions were confirmed, it would only take from those pleasures the character of licence, by shewing that they were really congenial to our nature.

But we have never heard of any philosophy which did attempt to undermine the universal judgments of man on

the great points of morals. The study of Nature again and again brings us home to the wisdom and propriety of restraining our animal impulses, and to the ultimate advantages of virtue, both individual and social. The accusations of the Christian Advocate and of his coadjutors, are consequently most atrocious and unfounded calumnies, put forward to discredit men and writers with the mass of the people, who cannot weigh philosophical arguments, nor determine the merit of technical discussions. Such accusations are refuted by every moral axiom dispersed through the writings of the accused, and still more so by the blameless tenor of their lives: for, speaking abstractedly of those errors which are the common lot of humanity in all its phases, the most edifying examples of virtuous life are to be found among the deepest inquiries after philosophical truth.*

* DEATH OF VOLTAIRE AND D'ALEMBERT.

The Christian Advocate having revived the absurd and inconclusive tales of the death-beds of Voltaire and of d'Alembert, I, being at Paris, availed myself of the opportunity to procure the testimony of the only persons now living, who were actually present on these occasions.

The following documents are decisive on the subject; and as the witnesses are far advanced in life, it is important that their testimony should be made known. The first is an extract from a letter from Dr. Burard, who, as an assistant physician, was constantly about the person of Voltaire in his last moments.

It commences: "Je m'estime heureux de pouvoir, en rendant hommage à la vérité, détruire l'effet des relations mensongères que l'on a faites sur les derniers momens de Mons. de Voltaire. J'étois par état un de ceux qui étoient chargés de suivre tous les progrès de sa maladie (avec MM. Tronchin, Lorry et Try, ses médecins); je ne l'ai pas quitté un seul instant dans ses derniers momens, et je puis certifier que nous avons remarqué en lui toujours la même force de caractère, quoique par l'effet de sa maladie il dut ressentir des douleurs horribles." (Here follow the details of his case.)

"Nous lui avions absolument défendu de parler, afin d'éviter les progrès d'une hémophthisie qu'il éprouvoit; alors il ne cessait d'être en relation avec nous par le moyen de petites cartes, sur lesquelles il nous écrivait ses questions :

Influenced by these feelings, I have brought forward, precipitately perhaps, and without sufficient regard to

questions : nous lui répondions verbalement, et s'il n'étoit pas satisfait, il nous faisoit toujours par écrit ses observations. Il a donc conservé sa tête jusqu'au dernier moment ; et les sottises qui ont été débitées méritent le plus grand mépris.

“ On ne peut pas même dire que telle ou telle personne ait rapporté tel circonstance de sa mort, comme en ayant été témoins ; car sur la fin, on avoit interdit l'entrée de sa chambre à tout le monde. Ceux qui venaient savoir des nouvelles du malade restaient dans le salon et les autres appartements à côté. Le propos qu'on mit dans la bouche du Maréchal de Richelieu est donc aussi controuvé que le reste.

(Signé) “ BURARD, Médecin.”

“ *Paris, 3 Avril 1819.*”

This statement of Dr. Burard was confirmed to me in all its particulars by Mad. la Marquise de Villette, Voltaire's adopted daughter, who was likewise about his person during his last moments.—The next piece is a letter from my kind friend the learned and amiable Mons. Pougens, member of the Academy of Inscriptions, whose name is a synonyme for candour and simplicity. It relates to the death of D'Alembert.

“ *Paris, Rue des Petits Augustins, ce 27 Février, 1819.*

“ Monsr. Le Chevalier :—Je vais répondre avec ma franchise ordinaire à la lettre dont vous m'avez honoré en date du 21 courant. Voici l'exacte vérité. J'ai quelque droit pour être cru ; car j'étois l'élève et l'ami le plus intime de feu Monsr. D'Alembert, certes le meilleur des hommes. Il est faux que feu Monsr. le Marquis de Condorcet fût dans sa chambre à l'époque où il rendit à la terre ses dépouilles mortelles. Depuis plusieurs jours il étoit même absent de Paris. Je crois qu'il étoit à la Roche Guyon, chez feue Madame la Duchesse d'Anville. Monsr. d'Alembert est mort la tête appuyée sur ma poitrine, avec le sang froid d'un sage, et le calme d'un homme de bien. Nulle crainte pour l'avenir, qui ne doit épouvanter que le méchant : nulle ostentation, qui le plus souvent n'est qu'une faiblesse déguisée. Je ne parlerai point ici de ses hautes lumières, ni de son goût exquis en littérature ; l'Europe savante lui rend justice. Mais les gens de bien aimeront à apprendre que sa vie entière ne fût qu'une suite de bonnes actions.

“ J'ai l'honneur d'être, &c. &c. &c.

“ POUGENS,

“ Chevalier de l'Ordre Souv. de St. Jean de Jérusalem,”

&c. &c. &c.

personal considerations, an hasty and rapid sketch of the moral system, which is disclosed by the study of visible and tangible man, considered only as an inhabitant of this world, and without reference to any religious or philosophical hypothesis of the first causes of his living functions ; and I cannot but express a hope that the cause of truth may not be injured by my intellectual deficiencies ; and that advantage may not be taken of my errors or obscurities, to prejudge a question, I may want powers duly to decide.

The present moment may perhaps be deemed unfavourable to the obtainment of a fair hearing, on account of the strong reaction of those, whose interests are opposed to the dissemination of truth ; and on account of the desperate and wicked cabals of a portion of the public press, which, no less foolishly than perversely, labours to propagate fanaticism, as an engine of government. But though such persons and their disciples form the most clamorous, and for the moment perhaps the most numerous faction, they are far from being the highest authorities in matters of opinion ; while the force of things is daily diminishing their consideration among the better part of the community. But it is this mischievous activity of bigots, and of knaves, more hateful than the

The origin of such stories as those here refuted, is easy to comprehend. If true, they prove only that a man, worn out by disease, has not the same force of character as when in the plenitude of health. But true, or false, they are perfectly suited to the mental *calibre* of gossiping bigots, who measure humanity in all its aspects by the standard of their own impertinent imbecility ; and who arrive at the pleasure of a strong sensation, through a strain upon their limited imaginations, to which they could never attain through their still more limited understanding.

Either the Christian Advocate did, or did not believe these silly stories ; he does or he does not attach importance to them. I leave him the full benefit of the dilemma.

dupes they mislead, that renders the discussion more immediately necessary. There is neither virtue, utility, nor courage, in attacking prostrate opinions; nor generosity in disturbing the tranquil contented ignorance, which reposes in silence upon exploded dogmas.

It is living, thriving, mischievous error, which calls for refutation; it is corrupt, profitable, and intriguing misrepresentation, which should be fearlessly attacked. Let those who may think that the author of these pages has over-estimated his powers, or mistaken his object, acknowledge (what they cannot deny), that the route he has pursued, leads neither to indolent enjoyment, to worldly distinction, to pension, nor to place.

ETHICS OF MORALS

The first principle of ethics is that we should act in a way that is consistent with the principles of morality. This means that we should not do anything that is wrong or immoral, even if it might seem like a good idea at the time. We should always try to do the right thing, even if it is difficult or unpopular.

The second principle of ethics is that we should treat other people as we would want to be treated. This means that we should be kind, honest, and fair to everyone we meet. We should not lie, cheat, or steal, and we should always try to help others when we can.

The third principle of ethics is that we should be responsible for our actions. This means that we should always think about the consequences of what we do, and we should try to make sure that we are not causing any harm to anyone. We should also try to make things right if we have done something wrong.

If the principle of ethics is that we should act in a way that is consistent with the principles of morality, then we should always try to do the right thing, even if it is difficult or unpopular. We should always try to be kind, honest, and fair to everyone we meet. We should not lie, cheat, or steal, and we should always try to help others when we can. We should also try to make things right if we have done something wrong.

When a person is faced with a moral decision, they should always try to think about the consequences of what they do. They should also try to make sure that they are not causing any harm to anyone. They should always try to be kind, honest, and fair to everyone they meet. They should not lie, cheat, or steal, and they should always try to help others when they can. They should also try to make things right if they have done something wrong.

PHILOSOPHY OF MORALS.

CHAP. I.

OF ORGANIZATION IN ITS RELATION TO MORALS.

“ Tout animal n'a-t-il pas un instinct irrésistible, auquel il obéit nécessairement? Qu'est-ce que cet instinct? L'arrangement des organes dont le jeu se déploie par le temps.”

Volt. Mœurs.

IF the philosophy of mind has made any approach towards the stability and precision of the natural sciences, if it can be considered as in any degree better than one uniform tissue of doubt and error, that improvement has been wholly effected by the moderns.

Since the epoch in which Locke gave development to the luminous principle, that “ the senses are the sole inlets to knowledge,” the history of our perceptions has been successfully studied, and the phenomena have been reduced to general laws, with a precision that leaves little to desire. But the

method pursued by the great founder of metaphysics has been rarely and imperfectly applied to the investigation of man, *as a willing and acting being* ; and this most important branch of inquiry may, even yet, be regarded as an unformed and disorderly chaos.*

The doctrines concerning morals have been so intimately amalgamated with hypothetical notions concerning the existence, nature, and ultimate destinies of the soul, that the relations of man to external nature, and the action and re-action of physical combinations and of institutions upon his faculties, have been overlooked, or considered only as subordinate ; while the mere attempt to submit

* With the exception of the writings of Cabanis and De Tracy, I am not aware of any recent works that have thrown much light upon this subject, which rests very nearly where it was in the time of the Greek philosophers. The two sects still stand opposed to each other, exactly as in Greece ; both asserting dogmatically their hypotheses, and building on a spiritual or a material theory, the edifices which best please the fancy of the writer.

I am fully aware of the danger of the assertion, but truth obliges me to declare, that the writers of the Scotch school appear to me rather to have retrograded, than advanced science. By spreading the charm of style and eloquence over the arid subject of their labours, they have given currency and fashion to a system, which reposes upon the most flagrant *petitio principii*. Their systems are splendid and imposing, but deficient in evidence ; and their writings, more rhetorical than logical, are calculated to seduce, in the same proportion that they are likely to mislead.

the subject to the rigorous processes of induction and analysis, interferes with so many interests, and disturbs so many prejudices, that it may be justly regarded not only as a difficult, but a dangerous enterprize.

For this reason, inquiry has very uniformly been commenced in the most abstract considerations; and has been pursued synthetically, till it terminated in a code of *duties*, constructed without any reference to the powers and tendencies of the machine they are designed to regulate.

The necessary fruits of this false march of the intellect are uncertainty, contradiction, and a total disagreement between theory and practice; inso-much that the inadequacy of moral treatises to regulate the affairs of real life is proverbially notorious; and mankind are indebted for the few maxims it possesses, worthy of being trusted in the conduct of affairs, to a coarse and empyrical observation of the workings of society. The phenomena of morals, like those of the physical world, are facts, depending upon their causes: their operation in all ages has been the same, and their nature consequently permanent. It is, therefore, as unreasonable to speculate upon what the animal might, or should be, abstractedly of these causes, as to form a theory of the world upon the exclusion of any of its existing forces. From speculations concerning the nature, dignity

and ultimate destiny of man, no consequences can be admitted, which are not confirmed by the realities of life ; and the ultimate facts to which these realities are resolvable, alone form the just basis of a sound and satisfactory system of morals.

The method pursued in the following pages, will be grounded upon this view of the subject. Their scope is not to determine an Utopian theory of what man *ought to be*, but to investigate the causes which make him *what he is*, in order to ascertain *what he can become*, under happier circumstances of society and civilization.

THE causes which contribute to the moral being of the species are, the peculiarities of structure by which the intellectual possibilities are determined ; the relations of the animal with external nature in general ; and those which it maintains more particularly with its own species in their social union.

In order to understand the workings of a machine, an acquaintance with its mechanism is an essential preliminary. All the relations between man and man arise out of the wants of the individual, or the exercise of his faculties in their gratification. The investigation of those wants, of the laws under which they occur, and the manner in which they operate on the moving fibres, is therefore among the first elements of moral science.

In this point, moral and natural philosophy

touch. Sensation and re-action are the ultimate terms in the analysis of all organic phenomena, whether they be considered in their relation to the structure itself, as a machine, or to the individual and his species as sentient and intelligent beings. To do, and to suffer, embrace the whole sum alike of moral and of animal existence.

The movements of the organization, in relation to its own permanence, are the domain of physiology and medicine; while, in their relation to society, they form the study of the moralist. Their irregularities in the one instance are termed *diseases*, in the other, *vice*; but in both cases the facts are of the same order, governed by the same laws, springing from similar causes, and tending towards the same end.

The impressions which philosophy classes among the moral causes of action, are merely a part of those moving forces, which induce the phenomena of life. In this sense, the operations of society on the individual, and of the individual on society, form only a branch of the natural history of man, and will be best understood in conjunction with the rest.

The human animal is connected by its organization with a long chain of beings, subsisting by a common law, and exhibiting a vast number of common phenomena. The characteristic distinctions of these beings are, *sensibility* to external impres-

sions, and a consequent *re-action* ; which, though variously combined and modified in each species and individual, appear to operate by a mechanism, whose principle is identically the same in all.

Sensibility is a property of the living fibre, which renders it susceptible to modifications, not derived from mechanic impact, nor from chemical agency ;* *re-action* is a property evinced in each living organ, by certain specific movements, which produce changes either in the condition of the machine itself ; or (through the individual) in the objects by which it is surrounded.†

Each different living structure is endowed with these qualities, in a quantity and modification which peculiarly adapt it for the performance of its destined function in the machine ; and each animal derives from the sum of its organization a sensibility to external nature, and a power of re-acting upon it, such as is sufficient for the continuance of its existence. But, however various and complicated the movements of the most highly organized

* This definition expresses the sense in which the term is used by physiologists ; who employ it to signify the living force common to animals and to vegetables. Sensibility does not necessarily include the idea of consciousness, which may or may not accompany the activity of the sentient fibres. See "Philosophy of Life," p. 209.

† The moving power of animals is usually called *contractility* ; but the term is perhaps too theoretical.

species may be, the whole phenomena of life, from the poet's fancy and the philosopher's problem, down to the scarce obvious growth of the simplest *lichen*, are all alike resolvable into the two general facts of sensation and re-action.

These faculties reside in the several living structures as mere potentialities; being called into activity at the solicitation of certain substances peculiar to each given organization,* and in all cases extrinsic to its structure.† The seed of a plant would remain inert, till it rotted and perished, but for the application of warmth and moisture. So the eye remains incapable of function if a cataract excludes the action of light: and so also a passion may slumber in inactivity, if the occasional causes of its excitement are not suffered to come into play.

Substances, considered in their relation to the sensibility of living structures, are called *stimuli*;

* It is in this particular that sensibility differs from mechanic impact; whose effect is proportionate to the momentum, whatever may be the substance projected. The sensibility of the living fibre is only excitable by a very few definite substances, such as light for the eye, vibrations of air for the ear, blood for the cavities of the heart, &c. &c. The quantity of motion excitable in the living fibre, is not under all circumstances the same; nor in all cases of stimulation. A grain of emetic tartar excites more action in the stomach than a pound of bread.

† All stimuli are external to the surface upon which they operate; though some stimulating substances, being generated within the body, in that sense may be regarded as internal.

the stimuli, which, operating through the intellect, produce voluntary motion, are termed *motives*.

Consciousness, or perception, is a modification of sensibility, closely connected with the existence of a peculiar system of organs, the brain and nerves. It is the necessary adjunct of the power of locomotion; a faculty essential to those species which cannot support life upon the nourishment which exists every where upon the surface of the earth. Vegetables, which are fed by the carbonic acid and water, brought into contact with their vessels by the changes of the atmosphere, remain fixed to the soil; but animals, which cannot subsist on such materials, and are compelled to seek their food, are by this necessity rendered dependent for their existence on a system of locomotive organs, requiring for their direction a power of discriminating the external objects, with which the animal is thus placed in relation.

The extent and delicacy of perception is commensurate with the locomotive powers of each individual; and with the number and variety of the substances with which these bring him into contact. A degree of intelligence less than sufficient for the preservation of the animal, would place it in hourly danger; an acquaintance, on the other hand, with those parts of nature that have no power of influencing its well-being, could

answer no good purpose. Those senses, indeed, which are necessary to the safety of the individual, may likewise become the inlets of knowledge of mere curiosity; because a relation with any given property of matter being once established, a door is opened to the investigation of every combination in which that property resides, independently of its possible influence on the percipient; but it may safely be averred, that no animal can become acquainted with objects, which have not some common properties with the substances influencing its own permanence.

There is an abstract possibility, therefore, not only of the existence of an infinity of beings inscrutable to our organs, but of an infinity of properties, in sensible matter, which we cannot conceive; and consequently of corresponding effects, whose causes we cannot appreciate. Concerning such beings and properties, however, man can predicate nothing, because they form no part of his experience. If, proceeding from such an abstract possibility, he gives play to his imagination, and introduces them hypothetically into his reasonings, he is compelled to clothe them with attributes derived from tangible nature; and thus to give them a character and activity, from which by definition they are excluded. Upon such premises, it is impossible to advance a single step with safety; and the attempt can only succeed in substituting error for igno-

rance, and in retrograding instead of advancing the march of mind.*

The perception of what exists in external nature, and the power of locomotion being intimately connected, the nervous and muscular systems are the mutual complements of each other : the former (taking cognizance of the changes, which are going on in the objects by which the animal is surrounded, and also of many of the changes, which take place in the machine itself,) is the seat of those affections we term *wants* ; and the latter affords the means of converting these wants into *enjoyments*.

On the modifications of these two systems depend the characteristic moral differences, which distinguish the different families of animals, rendering them more or less active, bold, cunning, ingenious, &c. &c., and determining them to live in solitude, or in society, or in a monogamous union of the sexes.

In order that a mechanism like this should act with certainty and effect, it is evident that its movements must perfectly harmonize with the

* It is thus that mankind have been led to give to the Deity an Anthropomorphic being. He is angry or pleased ; he adopts means for ends ; he hears, sees, judges, wills and acts like a man. Yet these modes of being are totally at variance with the attributes of an immaterial, omnipotent, and omniscient Divinity. Such is the necessary feebleness of the creature with respect to his Creator !

relations subsisting between the animal and external nature: neither of these can undergo any considerable changes without producing a disturbance in the living movements; which, if it passes certain bounds, must be followed by the destruction of the individual. The more simple, therefore, an organization is, and the fewer its relations with the external world, the more certain are its movements, and the less liable to accident. The perfection of the human senses, the latitude of the moving powers, and the consequent multiplicity of the relations of man with nature, and with society, subject the species, by a mechanical necessity, to greater irregularities of action than other animals; and induce diseases, vices, and unhappiness, from which the more limited existence of brutes is exempted.

THE power of perceiving qualities, and of subordinating them to utility, implies not only a consciousness of the spontaneous changes which occur within the machine, and alter its relations with external nature, but also a perception of some of the alterations which externals produce in the body, at the moment of their impact. Every change, therefore, whether it be derived from internal causes, or from stimulation, is accompanied by pleasure, pain, or indifference, as the *index* of something to be sought, avoided, or disregarded.

In the strictness of language, pleasure and pain

should be confined to sensations produced by the physical affection of the nerves themselves. They have, however, in common speech, a much greater latitude of meaning; and are applied to every case in which the animal is conscious of a facile discharge of function, or of an obstruction in the exercise of its powers; and they are further extended to ideas, which, by their association with painful or pleasurable causes, are capable of modifying the individual.

In order that definite pains and pleasures should excite definite reactions in the muscular system, Nature has established, in the different species of animals, peculiar innate dispositions or propensities to movement, which are connected with their appropriate sensations, and are called into activity by the immediate presence of their sensorial causes: these propensities are the appetites, passions, and instincts. The necessity for this part of the mechanism is self-evident. An animated being might feel a general sense of weakness, and an uneasiness in the region of the stomach, indicating the want of nourishment; but that would not be sufficient to throw the machine into a congruous movement, unless, by an original law, these sensations excited a necessary tendency to seek and swallow food, accompanied by an instinctive predilection for nutritive substances, rather than for those which yield no nourishment. Without this arrangement

the animal must perish long before reason could lead to the first steps of induction necessary to connect the sensation with the object to which it points.

Innate tendencies are not peculiar to organic combinations. The constancy of crystalline forms in the mineral kingdom is an instance of the fact. Vegetables exhibit two very singular tendencies : that of the root to grow downwards, while the stem ascends (whatever may be the position of the seed), and that of the upper surface of the leaves to seek the light. In rising along the scale of organisation, as the structure becomes complex, the tendencies are found to be numerous and varied. In the lowest animals, there are always to be marked decided tendencies respecting habitation and food. With the development of distinct sexual organs, there is manifested a distinct series of sexual tendencies. Extensive powers of locomotion are uniformly accompanied by increased susceptibility to moral impressions ; and fear is exhibited by all animals capable of avoiding danger by flight ; while the ferocious passions are manifested by such as pursue living prey.*

* The animal tendencies relate, some to sensation, and others to reaction ; some again relate to both. In general an innate tendency to a peculiar modification of feeling is attended by a concomitant tendency to reaction. Thus the sense of shame is accompanied by blushing ; fear by a tremor of the muscles, &c. &c.

Whenever an action results from sensations, or from a train of reasoning upon sensations, we imagine that we understand the whole phenomenon, and look no further for the cause : but when the action occurs without the intervention of consciousness, the connection of cause and effect is placed completely out of sight, and the case is considered as belonging to another order of facts. All organized actions, however, are traceable to specific tendencies. Why does a nerve feel, but because it is organized to exhibit that phenomenon. To feel is its tendency, or proper mode of action ;* so it is a muscle's to contract. For the like reason, one vessel secretes fat, another bone, another bile. These are ultimate facts, intimately connected with the structure; beyond which inquiry cannot go, and on which, therefore, Philosophy must be contented to repose.

It is a general law of nature that in proportion as the elementary arrangements of matter become complex, the compounds exhibit tendencies more widely different from those of their constituent elements. Elective attraction is an higher order of force, than the gravitating attraction which sub-

* Though *to feel*, in the sentient being, be passion ; in the nervous fibre, it can only be regarded as action. The nerve *suffers* the impact ; but we feel because it actively responds to that impact, and moves upon its stimulation. In this sense, sensation may be regarded as a species of re-action ; and in the movements of vegetables, the two phenomena appear confounded.

sists between masses. The nutritive attraction subsisting between the simplest organised fibres and their nutritious juices, produces results yet more complex. The union of two or more primitive organic fibres, is accompanied by the development of still greater and more wonderful forces. The heart and the spinal marrow are the two first organs formed in the foetus, and these are possessed of tendencies to action, which build up the rest of the animal.

The tendency of a simple organic molecule is little more than an habitude that determines its chemical constitution. An organ always exhibits one tendency respecting its organic arrangement, and another which decides its function ; but the simplest combinations of organs, and of individual animals, besides these dispositions, shew tendencies which place them in relation with the external world.

How such tendencies arise, it is beyond the power of science to declare. It is as difficult to imagine why a man receives pleasure or pain from any object ; why certain sensations beget certain reflections and actions ; why the animal flies from pain or seeks after pleasure, as to know why a bird makes its nest, or a beaver its habitation ; and either is not more incomprehensible than the gravitation of a stone, or the union of an acid and alkali.

From these observations it becomes evident that there is no necessary difference between the tendency to act upon a perception of pleasure and pain, and an *instinctive* tendency ; between a tendency that relates to the discharge of function in an internal organ, and one that has for its object some relation of the animal with the external world ; or, in other words, that sensation, reason, appetite, passion, and instinct, are alike habitudes of the machine, inscrutably dependent upon its elementary mode of existence.*

That the development of tendencies is the direct effect of combination, and not deducible *a priori* from the sensible qualities of the elements, is a familiar truth.† In very complex combinations, it is not therefore always possible to discover from which of the elements a new phenomenon is derived. There are, however, many facts which connect several of the moral tendencies with definite parts of the organization.

The propensities of animals respecting food (which influence so largely all their habits), are

* These tendencies varying in the several species according to their various organization, we have the same reason for regarding organization and tendency as cause and effect, as in any other cases in which we acknowledge these relations.

† There is no imaginable relation between the causticity of an alkali and an acid, and the inertness of the neutral salt, which results from their union.

obviously connected with peculiarities in the organization of the intestinal canal. A long train of habits is distinctly traceable to the sexual organs, as being called into activity by their orgasm, and obliterated by castration. The phenomena of disease shew an intimate connection between specific viscera and several of the passions. Pulmonary diseases frequently give rise to an unusual display of hope. Some hepatic affections are attended with melancholy, and are even accompanied by an unnatural tendency to self-destruction, of the most abstract nature, and wholly independent of external circumstances. There are diseases of the female organization which derange the appetite for food, begetting the most extravagant desire for indigestible and unwholesome substances. Pregnancy produces effects somewhat similar: a fact that has been rendered the instrument of much abuse, and made a pretext for carrying the most selfish purposes.*

Without entering deeper into physiological arguments, enough has been stated, to prove that the reactions of volition and of thought depend at least

* How far we may safely go with Bichat, in generalizing these facts, is perhaps not very clear. The doctrine of that most original writer, however, gains by consideration; but its truth or falsehood is perhaps not very important to the mere moralist. The passions being admitted, their origin is of little moment.

as much upon the general organization, as upon the specific nature of the stimuli. There is no reason for doubting that the impressions of sense are the same *in kind* in all animals possessed of the five senses; the difference in their actions must therefore be placed to the difference of the tendencies arising out of their respective organizations.

It is not only true that particular organs thus modify the trains of thought and action, which commence in sensitive impressions, but that they even give rise to many such trains, without the apparent intervention of external stimuli.* Disease affords many such phenomena. The hallucinations of hypochondriacal persons are clearly derived from the deranged functions of the alimentary canal. It is likewise not uncommon for the paroxysm of epilepsy to commence with a sensation in the extremities, technically called the *aura epileptica*, which creeps along the members, and mounts to the head. On reaching this part, convulsions and loss of sense occur. The moment is in some cases preceded or accompanied by a frightful phantasm of a goblin, a giant, or demon, who seems to the patient to strike him on the head at the very instant when he loses recollection. The uneasiness, the restlessness, and vague search after an unknown object, which supervenes in very

* Cabanis.

sensitive organizations, on the completion of puberty, the shyness and blushing timidity of the female, the sudden ardour and intelligence of the male, are manifestations of ideas and of tendencies purely organic. The ideas which occur in dreaming are of the same origin. The first link in the chain of causation in nightmare is usually an affection of the lungs or of the stomach.*

The animal then derives immediately from its organization not only the faculties of perception and of movement, but also a predisposition to act in a determined manner upon each excitement, (from the prick of a pin to the most complex combinations of social influence,) together with certain dispositions to activity, which are derived from the physiological condition of different organs, and which with respect to the external world may be regarded as spontaneous.

Of the several tendencies arising out of the organization, all are not equally connected with a specific object. Apprehension affords the means of avoiding danger, but excessive fear

* Although these organic affections originate volitions and trains of ideas to all appearance independently of external stimuli, yet have they never occasioned any conception not traceable to a sensible image. This fact affords a strong collateral confirmation of the truth of Locke's doctrine: for if the healthy organization developed certain innate ideas, the diseased structure, by a physical necessity, should give rise to others, peculiar to each specific derangement.

destroys all power of resistance. The temporary trembling and debility it occasions, are organic movements of the most fatal consequence. The flushing of the face, the clapping of the hands in joy, produce no advantage to the individual; but the organic movements, which paint the passions on the countenance, endanger the animal, by enabling others to read his intentions in their first conception. The instincts, which proceed from disease, partake of their morbid origin, and are seldom conducive to wholesome results. That the innate tendencies to action are upon the whole favourable to the permanence and well-being of the organization, must be acknowledged from the fact that the animal exists. But there are some, whose scope is not the preservation of the individual, but that of the species.

Man, more especially, being destined to live in society, and to bestow great labour and care on the rearing his progeny, is created with the most striking sympathetic affections, and is thrown into action with great violence, by impressions received through the pleasures and pains of other individuals; being rendered happy or unhappy not only by their happiness or misery, but by their feelings respecting his own character and conduct.

Sympathy, though most extensively operative in man, is exhibited in various degrees by all animal species having distinct sexes. Even among inor-

ganic substances, phenomena somewhat similar have been remarked. Such is the susceptibility of elastic bodies, to vibrate in unison with each other, when the mode of their elasticity is the same. It is, however, to be observed, that sympathy being a mode of animal sensibility, it would be an error of reasoning to consider it as strictly analogous to any affection of matter not possessing that property.

Sympathy likewise exists between the different organs of the same individual; and it is manifested in the greatest variety and intensity between the organs whose sensibility is the most exalted; especially between the stomach, circulating system, and brain. In this respect, these local sympathies follow the same law as that which operates between distinct individuals. Sympathetic tendencies, like those of a more indeterminate nature, arise sometimes through the operation of disease.

The activity of the sympathies between man and man is much more animal than rational, being governed more by external impression, than by internal conviction. Tears and blood excite feelings from very disproportionate causes,—feelings which will not perhaps be roused by the spectacle of serious calamities, when they want these external signs.

Many powerful sympathies depend altogether upon a name; such are those of fellowship among freemasons, men of the same trade, or county.

In general, however, the feelings are excited in proportion to the appearance of affection in others.

Sympathy is much increased in intensity when it operates between large bodies of men. The movements of armies are apt to be thus governed by the impulses of enthusiasm, or of panic, very independently of reasonable occasion. A large part of the effects of oratory, and of the superior influence of *vivá voce* appeals, above that of written documents perused in the solitude of the closet, depends upon this cause. The force of the sympathetic tendencies is so considerable, under certain circumstances, as to supersede or to suspend all the peculiarities of individual disposition. In a single regiment of soldiers, nearly as many shades of complexional courage must subsist, as there are individuals: yet it rarely happens that all do not fight or fly together.

It is by the operation of these diffusive sympathies that societies become afflicted with epidemic enthusiasms, and acquire irresistible tendencies to a definite object, which last for a more or less considerable period; producing an age of ascetic monkery, an age of chivalry, an age of religious controversy, of revolutionary agitation, &c. &c. In these seasons, it is difficult for the wisest to escape the influence. Men of great science and deep habits of thinking have been the dupes of Mesmerism; and me-

thodism gains proselytes from the most opposite mental constitutions. Governments should, therefore, be careful how they receive the shock of such impulses: a point blank opposition only aggravates the malady, and seldom fails to overturn the authorities by which it is opposed.

ORGANIZED beings are not constructed for infinite duration. Independently of the inherent caducity of the machine itself, the sources of irregular action, derangement and destruction, are very many. In the first place, tendency to action being a mere potentiality, its operation is, *cæteris paribus*, determined in quantity by the quantity of the exciting cause. A given degree of stimulation may produce pleasure, another may excite pain: and this stimulation must depend upon the changes and chances of the external world, which are seldom within the dominion of the animal, and cannot, therefore, be uniformly congruous to its necessities.

The quantity of pleasure or of pain occasioned by given external circumstances is likewise subject to vary: but the limits are very small within which pain, or pleasure will call into activity a tendency, an appetite, a passion, or an instinct, in that precise proportion which adapts it to the necessities of the machine. The reaction is thus rendered liable to exceed or fall short of the measure, which alone can induce health and happiness.

But this is not all. By a fundamental law of the economy, there arise, under certain circumstances, variations in the force of sensibility in particular organs, by which their susceptibility to stimulation is increased or diminished. The same precise dose of a stimulus does not always produce the same motive-effect. There are few persons who not found themselves prone to be moved at different times by very different degrees of provocation; and the passions, like the appetites, have their moments of hunger and satiety. The state of excessive sensibility and activity in an organ is termed *orgasm*; that of diminished force is called *collapse*.

The orgasm of one organ is commonly the cause of collapse in the others. The activity of the stomach, (to take an instance,) suspends or enfeebles the powers of thought. By a similar mechanism, the excitation of one passion usually puts the others to rest.

When a tendency is connected with the discharge of some specific function, a suspension of that function, proceeding from the absence of its appropriate stimulus, or from any external impediment, becomes a cause for exalting the tendency. The dreadful re-actions, occasioned by excessive hunger and disappointed love, are proofs of this law.

A frequent presence of the exciting causes of

function, on the other hand, may increase the vigour of the tendency, by inducing an habit; or, if excessive, it may annihilate or suspend the tendency by exhausting the organ.* A tendency may on the other hand die away, through the long protracted absence of its occasional causes: and finally, each tendency, having its own peculiar object, may be excessive or insufficient with regard to that object, and so disturb the general harmony of action.†

When the occasional causes of action present themselves too frequently, or too powerfully, the same ill consequences may ensue, as if the tendency itself were inordinate. Whether a man predisposed to excessive anger be roused by a trifling injury, or a placid temper be goaded by many and repeated outrages, the re-action will in each case alike be violent.

* Thus the too frequent indulgence of a natural propensity at first increases the concomitant desire, and makes its gratification a part of the periodical circles of action; but by degrees the over excitement of the organs, abating their tone and vitality, unfits them for the discharge of their office, the accompanying pleasures are blunted, and give place to satiety and disgust.

† Excessive action may operate in two ways: it may excite the nutritive system of the organ, and beget inflammation; or it may fall on the function and render it disproportionate to utility; it is thus that satyriasis differs from inordinate desire.

An inordinate exaltation in any tendency may be dangerous, through the excess of its consequent action. The males of many species of insects perish exhausted by the violence of their sexual impulses, at the period of impregnation. A violent paroxysm of rage occasionally induces apoplexy, by the excessive movement it excites in the circulating system. Such an exaltation may likewise prove injurious by altering the relation of the subject with external nature. Excessive hunger may induce an animal to attack another more powerful than itself, and so render it the victim of its own aggression; or it may urge the animal to swallow substances it is incapable of digesting, and occasion disease and death.

This variability of force in tendencies, is essentially necessary to the play of the machine; since the necessities cannot in the nature of things at all times be the same. Cruelty and ferocity are more needful to the carnivorous animal, when it is hungry, than when satiated with food. Courage or apprehension would be injurious, if developed independently of the presence of danger.* The circumstance, however, is connected with this disadvantage, that the necessities of the moment

* There is nothing more continually embitters life than excessive and causeless fears.

may not be proportionate to the permanent interests of the individual. Almost all the moral miscarriages in life originate in the preponderance of the present over the future,* in the absence of foresight or the feebleness of prospective impressions. It is on this account that the certainty and promptitude of punishment is so important a part of legislation ; because its motives are thus rendered present, and operative in the system ; which they are not, when removed further back in the perspective.

It in some measure obviates the evil of excess, that in certain cases, when a tendency is likely to hurry the animal into a dangerous position, the circumstance itself may call into action some other tendency, which thus may oppose itself

* Many diseases are the results of similar efforts to remove a momentary evil. Ruptures are induced by straining exertions ; the bladder may be burst by its own contractions ; death is occasioned by active hæmorrhages, produced by local excitement ; and a locked jaw often arises in a slight irritation of an insignificant part.

Although (in the general) the tendency of any organ to action, conspires to the good of the whole machine, yet it seeks only the specific object connected with the function of the part. The heart, when stimulated by blood, contracts to get rid of the stimulating cause, without regard to the effect which that blood may produce in the system ; this effect may be health, fever, or inflammation. It is the same with moral qualities, which are proportionate to their physiological causes, and not to their moral ends.

to the leading impulse, and suspend or calm it to an healthy level. The opposition of passion to passion, and tendency to tendency, is of the greatest importance in the business of education. The annihilation of passions is the dream of ascetics, and is never attempted without the most deplorable effects upon society, and upon the individual:* but the successful opposition of one tendency to another is an object most frequently within our power. Pride, vanity, emulation, fear, and shame, are thus placed like sentinels upon guard over the other propensities, and are converted into virtues in the hands of observing instructors.

* The effects of an attempted stifling of the passions on individuals, even when they are successful, are insanity, visionary and phantastic ideas and pursuits, and bodily ill health: more usually it occasions the substitution of other propensities, fraud, vicious and secret indulgences, &c. &c. On large communities it induces the grossest hypocrisy and the wildest fanaticism. The Quakers who appear to have mastered their passions, in fact, only confine them within their natural boundaries. This religion is by the force of circumstances, closely confined to the middle ranks of life. Its professors are, therefore, generally enabled to become fathers of families; and in the bosom of their domestic circles, and amidst the occupations of trade, the passions find their destined scope, without encountering the occasional causes of those dreadful explosions, which make the misery of life. This, however, is very different from ascetic privation.

When one exciting cause thus operates upon two different tendencies, the effect is proportionate to their relative strength. If a wolf come into contact with a sheepfold, the sheep will excite its carnivorous propensities ; but the shepherd and his dog will act at the same time upon its timidity. If at the moment the animal be saturated with food, the timidity will most likely prevail, and the wolf will remain quiet. But if it be in a starving state, the reverse will happen : hunger will master fear, and the animal will attack the fold.

Two or more tendencies being thus simultaneously roused, they may either coincide in producing an overt act, or they may be mutually opposed. In the former case they increase the violence of action : many small motives thus producing the effect of one violent impulse. In the latter case they may either balance each other, and preserve the volition in absolute suspense ; or some one, proving the strongest, may prevail, and produce its own action, with a force expressive of the excess of the dominant tendency over those which are opposed to it.

The nature of voluntary action may in some cases be determined by a single tendency : in general it is the result of many. Thus if hunger impel a lion or a fox to seize upon their prey, the lion would make its attack by an act of courage, the fox by an act of cunning.

THE force of specific tendencies is notoriously very different in the several individuals of the same species. In the human race more especially, each man is marked by innate peculiarities of mind, as permanent and as decided as those which characterize the different genera of other animals. One man is proverbially called a fox, another a serpent, a third a lamb; from the resemblance in their dispositions to the animals in question. This variability of the human disposition depends upon the variety of impressions to which the nature of man is susceptible; which acting on his physical frame, and altering its organic balance, beget hereditary predispositions and peculiarities. The dominion of externals being more extensive, also favours the formation of habits, which alter the natural balance of the organic tendencies, and give birth to artificial temperaments.

The life of organized beings is not a series of insulated facts, but a continuous and uninterrupted whole, in which the past exercises an immense influence over the future. Every impression of any considerable force produces a permanent change in the mobility of the machine; giving a preponderance to given ideas, and an increase of activity to given tendencies.* Among the un-

* The laws of habit and association not only give increased facilities in certain directions, but diminish the force of ten-

educated part of the species most men have thus acquired a favourite word, which intrudes itself at short intervals, and often extremely *mal à-propos*, into conversation. Swearing also, at first adopted to give vent to anger, when it has become an habit, is indulged without the consciousness of the individual, and is employed as an idle and unmeaning expletive.

Whoever has closely examined his own intellect, or that of others, must have had occasion to remark the existence of certain leading ideas, which education and accident have habitually fixed on the attention, and which thus make up “the parcel of the mind,”—ideas which associate themselves with all the thoughts and modify their direction; forming, as it were, central points in the imagination, round which all the suggestions of the external world are grouped, and from which they receive their colouring.

Thus, the moral existence of man is made up of a very few trains of thought, which from the cradle to the grave are repeated again and again at the suggestion of sensitive impressions, as they occur.

dencies in others. *Non omnia possumus omnes*. A bigot is less fit to reason than another man. A coarse mechanic is not equal to delicate operations. Persons used to action are better at intuitive guesses; those of contemplative habits succeed the best with their afterthoughts, &c. &c.

Each particular thought, receiving its modification from these master trains, confers a character and direction upon those which are to follow; and thus tendencies, which at first took their lead by their physical intensity, become strengthened and improved by use, and rule despotically over the conduct of life. Upon the operation of this law depends the immense importance that is justly attached to early impressions. Mismanagement, moral and physical, commenced in the arms of the nurse, not unfrequently forges the first links in the intellectual chain, which binds the man, to the latest hour of his existence; and the misfortunes of the child prepare the destinies of the adult, encouraging susceptibilities, and fomenting passions, that explode in mature age, and close the evening of life with hopeless disappointment, and unavailing repentance.

The domesticated animals of the same species, although much more closely resembling each other than the individuals of the human race, still exhibit, to an attentive observation, striking differences of character. Horses differ widely in courage and in irritability; and men habitually look in the face of a strange dog, to observe whether it be gentle or ferocious.

Amidst so much variety, it is impossible to arrive at general aphorisms, except by the abstraction of individual peculiarities; or to apply them

to specific instances, without a previous allowance for every existing idiosyncrasy.*

The connection between definite dispositions of mind, and definite physical temperaments has not escaped popular observation: "a cold-blooded person," "a man of hot blood," are phrases employed to indicate peculiar constitutions of mind, through their connection with bodily causes. Such observations are sufficiently just to form the basis of general reasonings, and they are habitually and unconsciously employed in forming rapid and intuitive judgments of men with whom we come suddenly in contact: but the human character is formed by the concurrence of many causes; and temperament alone cannot be trusted in our conjectures concerning the conduct of individuals. There are in truth few instances of perfectly pure temperaments, owing to the frequent mixture of races which take place in great cities; while, on the other hand, education, fashion, habit, and the almost endless variety of motives which civilization affords, deduct largely from the dominion of purely physical causes. It is in this respect that

* In legislating for nations, it is obvious that such individual peculiarities should be disregarded, because it would be impossible to reduce them to calculation. Besides the object of laws being to control the vicious actions which proceed from such causes, the lawgiver is required to oppose, rather than to compassionate, the tendencies in which they arise.

civilized life chiefly differs from a barbarous or savage existence. In the long run, however, the temperament does and will prevail; giving a tone, colour, and consistency to men's lives, that preserve a sort of dramatic unity in their characters. It is in this sense that the maxim of *naturam expellas furcâ* is particularly well-founded and applicable.

Not to dwell upon moral constitutions decidedly diseased, nor to instance idiots, maniacs, and confirmed hypochondriacs, it should be observed, that physiologists have noticed five leading varieties of temperament, in which there is a decided peculiarity in the prevailing tendencies: the nervous, the muscular, the sanguine, the bilious or melancholy, and the phlegmatic.* Although the intermixture of blood rarely permits these temperaments to exist in perfect purity, yet it seldom happens that the temperament of the child is equally derived from those of both parents. Some-

* The ancients, who were close observers, though bad reasoners, saw and described these differences with tolerable accuracy, but vitiated their observations with much false theory. Their sanguine and phlegmatic temperaments were pure physiological differences. The melancholy, and even the bilious, belong rather to pathology; for if not indicative of disease, they point, at least, to a state of body closely approaching to it. The distinction of the nervous and muscular temperaments is due to the French physiologists.

times the father, sometimes the mother prevails; and sometimes the temperament of a more remote branch of the family comes out in the offspring. Had this not been the case, mankind would long ago have arrived at a complete amalgamation of all the temperaments, and have become a perfectly uniform race.

In general, each individual exhibits sufficient marks of some one of the purer temperaments, to give a tinge of peculiarity to his whole moral and physical being,—his health, his propensities, his gesticulations, his countenance; and to confer upon him a large part of those particulars in which he is himself, and not an abstract representative of general humanity.

To the influence of temperament may be added that of sex, which is marked in an infinity of particulars. In the human species, the love of the male parent for its offspring is a very mixed feeling, composed of some sympathy, and more egotism, pride, and love of domination; the whole strengthened and confirmed by habit and by prejudice. In the female, it is an organic impulse, which the male is as incapable of feeling, as he is of supporting his infant from the arid glands of his bosom. The feelings of husband and wife are by no means reciprocal; and society, in drawing a deep line of discrimination between the duties and habits it expects from the two sexes, has only followed a

natural instinct. It may not perhaps be matter of surprise, that a female of deep feelings, and keen consciousness of great talents,* should have spurned at the injustices which the physical force of man, and the abuses of a male legislature, have heaped on the female part of the creation ; but the theory to which this feeling gave rise, of the perfect equality of the sexes, and their common fitness to play the same parts in life, is contradicted alike by anatomy, physiology, and the uniform experience of history. The fair advocate of this heterodox opinion,—herself a perfect woman in feeling, and in person,—was a striking instance against her own doctrine. The female temperament seems rarely to have been carried to the same excess, in which it is manifested in her sad and eccentric history.

The female temperament partakes much more of the nervous, than of the muscular character ; and when poverty calls largely upon the muscular system of females, by the necessity for constant exertions, the sexual distinctions of form and person are sooner obliterated ; childbearing ceases at an earlier period, and the affections perhaps partake of similar changes.

The sensibility of females is much more exalted than that of males : a fact which is marked by the

* Mary Wolstonecraft—Rights of Women.

acuteness and variety of their diseases, by the superior delicacy of their senses, and the greater rapidity of their perceptions. Conclusions, at which the male arrives by slow and painful exertions of thought, rise almost spontaneously in the female mind. Woman leaps at once from premises to consequences by an intuitive glance; her reasonings are indistinct, and her judgments have more in them of sensation than reflection. Females, consequently, have ever shewn themselves the ablest counsellors, in those cases of emergency in which first impressions must decide on the propriety of action.

The mobility of fibre which accompanies an highly developed sensibility, and which produces in the female constitution the phenomena of hysterics, confers likewise that capricious variability of the passions, and April-like transition from smiles to tears, which constitute the charm of the sex with unoccupied and idle admirers, but which form the horror and despair of him, whose time and attention are preoccupied by the business of life.*

ANOTHER and more important cause of moral difference is the existence of distinct varieties of the human race. Of these, Mr. Lawrence enumerates five, each marked by its own physiological peculiarities. Without pausing to inquire into the origin of these varieties, it is sufficient to notice

* Helvetius.

that they are accompanied by very distinct degrees of developement of the cerebral organs ; by which the darker varieties are rendered less susceptible of certain impressions, and less capable of certain reactions, than the European or white race. From this fact we may be led to doubt of the possibility of their subsisting in the same density of population and civilized refinement. “ The monstrous faith of millions made for one, has never been doubted or questioned, in all the extensive regions occupied with human races, with the anterior and superior parts of the cranium flattened and compressed.”*

BESIDES the organic differences which are born with the individual, many others of an origin purely physical arise during the early years of life. A sickly, suffering infancy may lay the foundation for constitutional irritability and impatience. By depriving the subject of many pleasures he sees enjoyed by others, ill health will have a powerful tendency to exalt the antisocial and selfish propensities ;

* *I. e.* The dark varieties.—On this curious and most interesting subject the reader is referred to Mr. Lawrence’s published lectures, in which will be found the principal facts collected with much research, and illustrated with great acuteness of remark. In spite of cant, hypocrisy, and malignity, this work must go to posterity among the productions the most honourable to our age and country, and form a necessary part of every philosophical library, worthy of the name.

giving acuteness to envy, hatred, and anger ; especially when the mind, thrown back upon itself, wants opportunity or taste for cultivating its own resources. The perpetual contention with internal feelings of uneasiness, and with mortifications and disappointments from without, incidental to bodily difformity, contributes to bestow that malevolence and irascibility, sometimes not unjustly attributed to persons

“ Curtailed of this fair proportion,

“ Cheated of feature by dissembling Nature ;”

and helps to form a character which Shakespeare has so faithfully embodied in that *beau idéal* of such a temperament, Richard the Third. It is not however, improbable, that difformity of the skeleton, by pressing on particular viscera, may impede their action, and through them also, influence original dispositions.

The strength of an organic tendency may be excessive in itself ; it may likewise be so relatively to other tendencies, which are insufficiently developed. For as motion cannot at once take place in two directions, so neither can an action obey at the same time two conflicting tendencies. In a well organized animal the tendencies, therefore, serve reciprocally as checks, and prevent any one propensity from gaining head. A passion which in itself has no greater force than is

necessary for the accomplishment of its specific purpose, may consequently become improperly predominant, from the absence or imperfect action of its natural opponents.* There is a familiar instance of this fact in the conduct of certain persons of high rank and independent fortunes; who, wanting the motives that are offered to men compelled to labour for subsistence, fall readily into irregular indulgences of the sensual propensities. In this envied, but really unhappy position, the love of letters and political ambition are the only remaining opponents to the appetites; and these are neither constant nor overpowering impulses.† In all ages the unoccupied have been prone to dissipation and vice.

THE character of an animal is the result of the combined action of all its tendencies; and this mutual influence of the passions and instincts upon each other is pregnant with important consequences: for it follows that a change in any one

* The cerebral and muscular systems are thus mutually opposed to each other. When the former preponderates, nervous or diseased sensibility, irritability and a proneness to react on slight occasions, are the consequence: when the muscular system prevails, slowness of perceptions, indifference, insensibility to petty evils and pleasures, render the individual dull, heavy, but obstinate and persevering in his actions.

† Even Julius Cæsar, Anthony, and some of our most ambitious modern statesmen, have found time to be notorious profligates.

propensity, the exaltation or depression of any one animal impulse, may determine a perfect revolution in character and disposition. The influence of puberty exhibits numerous and striking illustrations of this law; affording subject-matter the most extensive, for poetry, romance, and dramatic composition.

The habitual recurrence of many small circumstances, or the sudden shock of one strong impression, may call into activity a tendency which is naturally weak and subjected to the others; and thus the original disposition may be extensively modified. Temporary instances of such changes are by no means uncommon. A coward, when pushed into a corner, becomes dangerously brave; and drunkenness, by deranging the natural organic balance, causes its victims to belie their ordinary character; a circumstance which must be taken as some abatement to the proverbial position of *in vino veritas*.

Every passion may thus become the means of altering character; love, vengeance, vanity, ambition, and avarice have each been the cause of reclaiming bad dispositions, and of overturning good.* This explains the nice philosophical re-

* In the course of a long life, men pass successively under the dominion of different propensities, beginning by love, and ending with avarice. When an individual imagines that he has conquered a passion, it is usually found, that he has only been

mark, that great prizes in the lottery have been more instrumental to the misery, than to the happiness of the holders. The sudden shock of the complete revolution of fortune they occasion, overturns habits, deranges the existent balance of the passions, and induces new dispositions, which do not harmonize with the education and previous notions of the individual. The conduct is thus rendered irregular, the desires unmeasured, and the voyage of life is pursued at once without rudder or compass.

In order that a sudden impression should create a permanent change in the organic balance, it must be forcible, and favoured by coincident circumstances. Ordinarily, the changes thus induced, last for a short time, varying according to the occasion, from a few seconds to periods more considerable. Sometimes the activity is confined to a single external object; sometimes it is general. Hence a thousand caprices in character; and that very singular phenomenon of a disagreement of men's conduct in trifles and in great events; the impulsion of an important contingency disturbing the habitual balance, and bringing into play passions that are usually in abeyance.

deserted by it. "Ily a dans le cœur humain une génération perpétuelle de passions, ensorte que la ruine de l'une est presque toujours l'établissement d'une autre."—*Maximes de Rochefoucauld*.

IN looking into the actions of men, and pursuing their conduct with a view to the foregoing laws, there will be found, first, a great revolution in the temper, disposition, and propensities, accompanying the progress of the individual from youth to age, through the successive development and subsidence of different internal organs.*

There is another revolution which may be traced to the trains of sensitive impression, to education, example, prejudice, and the local circumstances of rank, fortune, nation, and social intercourse.

There are likewise many series of petty revolutions, daily, hourly, and instantaneously induced by the occurrences of life, as they pass in rapid succession.

In all these varieties of conduct and disposition, the volition is determined rigorously by the excitement, by the actual organic balance of the moment, and by the habitual trains of thinking and acting which modify the individual. In this sense the action is always congruous: that is, proportionate to its causes and to the *ratio recipientis*. But it by no means follows that it shall be congruous, in the sense of harmonizing with the ne-

* The same preponderance of the arterial over the venous system, which renders young people subject to severe and frequent inflammatory diseases, occasions a similar promptitude to action in their moral system, rendering them less calculating, and less governable by remote considerations.

cessities of the case, and conducing to the permanence and well-being of the animal. If the balance of the organization be essentially defective, if one temperament decidedly prevail, or one organ predominate, the reaction can hardly be proportionate to the exciting cause ; and if the exciting cause be excessive, in relation to the general sensibility of the system, it cannot but produce an excess of action, which hurries the volition beyond its mark :* or, lastly, if the external motive is favoured in its influence by habits, volition takes place with a facility which excludes reflection, and leads to an unfavourable and incongruous result.

BESIDES these sources of error, there are others of infinite importance, which operate when the motive force of a sensitive impression lies in its associations. This is particularly to be dreaded with respect to the complex terms of language, which rarely suggest all the ideas they ought to represent, and none others than those which ought to be associated with them.

This ignorance of the real value of language, is by far the most general of the causes of error in conduct. For if the passions, by their excesses and perversions, are the prolific sources of misery,

* Intoxication illustrates this proposition.

the frequency of their explosions lies very much in mistakes of calculation, and in the false positions to which these give rise. By an organic force, man universally aspires towards happiness, and the occasions in which there is a real incompatibility between duties and interests are rare. Crimes, therefore, are usually erroneous efforts in search of good ; where they are not the necessitated consequences of perverse institutions.*

By far the greater number of pleasures and of pains arise out of the associations of ideas : and not in the direct action of the stimuli upon the senses. Of the visible and audible impressions, very few indeed, derive their value from the colours and disposition of the ray, or the quality of the vibration ; the majority of them exert their influence as the signs of written and spoken language, which are again signs of ideas, often mere representatives of other ideas. All noises are symbolical of movement. Unknown noises excite alarm as the representatives of unknown movements. A trifling noise in the night, suggesting the idea of an unknown danger, alarms more than thunder. When we are unable to judge of the distance whence a noise proceeds, we fall into errors as to

* Ἀμαρτάνει ἡ ψυχὴ ὅτι ἐφίεται ἀγαθόν.

Sallust, de Diis.

its cause. It may represent either a great movement considerably remote, or a small one close at hand. During incipient sleep, the beating of the arteries in the head may thus be mistaken for the noise of some violence in a distant part of the house. The value of flags and of party colours lies obviously in the associations, and not at all in the visible object.

But if the symbolical meaning of impressions is sometimes difficult to seize, it is not without much reflection that the mind embraces the impressions themselves, when they are united in groups of some complexity. Unless a strong sensation accompanies a complex impression, the larger part of its elements are passed over unobserved; and a false estimate of the real relations of the object is thus formed. Thus, to take an example of Condorcet's,* we are not conscious of a thousandth part of the visual impressions received in regarding a landscape, till we have gone over and over again each portion of it in detail. These details, however, must be all distinctly and successively examined and conceived, before a picture can be made.

The great mass of mankind are wholly occupied in providing for the first necessities of life, and have little leisure for examining the less salient properties of objects, for inquiring into the

* Logic.

remote consequences of physical (and much less of moral) combinations, when they do not come home to their every day observation. The sweet taste of the poisonous berry is obvious to notice, but its deleterious properties are only guarded against by botanic distinctions, requiring effort to discover, and leisure to remark. The destruction of a whole family of peasants, the victims of their want of power to discriminate between an esculent and a poisonous mushroom, affords a frequent and a melancholy illustration of this law of the intellect. Still more fatal are the delirium and convulsions which agitate whole nations, and which proceed from similar errors concerning moral combinations !

If, from the dry and abstract consideration of humanity, we turn to the history of the species, not only as it existed in times of darkness and of ignorance, but as it is found at the present moment, surrounded by all the illumination of the two last centuries, the operation of this cause of calamity is to be traced, in fearful activity. If in some countries of Europe the people are seen struggling against ignorance, discarding the dupery of equivocating institutions, and endeavouring to place them on the level of existing science ; by far the greatest part of its nations still continue to suffer under every possible social evil, in poverty, in slavery, and in the grossest error ; their intel-

lects chained down by false associations, or by open force; their impulses towards industry and national improvement restrained by superstition or paralyzed by despotism.* The elementary principles of social union, the springs of human affection, are cognizable only by persevering research, by faithful observation, and acute induction. The colouring, which ignorance and egotism impress upon the combinations of society, rests upon the surface; and, coming within the sphere of general notice, forms the basis of public opinion, the “moving why” of national volitions. Thus mankind flounder on from error to error, and are borne forward through a recurring series of fictitious prosperity, without solid happiness; and of substantial misery, without profitable instruction.

* Law, constitution, social order, blasphemy, libel, sedition, legitimacy, atheism, bigotry, &c. &c. are complex terms, whose meaning is at the present moment, and amidst one of the most enlightened people of Europe, undefined, and afloat in society; being used in cases the most opposite; and employed wilfully and perversely to excite false associations, for purposes the most abandoned. Indeed it may be doubted whether there remains a single complex term concerning religion or government which hypocrisy has not rendered suspected, nor cunning perverted. In an hundred years the writers of the present day will be unintelligible, without a key to their professed opinions. Words thus stripped of a precise meaning, and susceptible of no positive definition, like men who are destitute of fixed principles, are in turns the panders of every one's passions, and the blind agents of every party and of every interest.

BUT if, from time to time, there occur cases in which language is a faithful interpreter of thought, in which the external impressions suggest all that it is necessary to know for the purposes of congruous volition, and in which no vicious habit of action, no preponderating natural impulse, gives an undue bias to the chain of causation, it may still happen that concurring circumstances should be unfavourable to an wholesome result. There are physical and material elements, without which certain virtues cannot subsist; and the institutes of society, the spirit of the age, the facility or difficulty of procuring subsistence, the character of the prevailing religion, with many other causes of the same sort, over which the individual holds no control, all operate, with an irresistible force, in modifying conduct, and determining the moral being. The influence of authority, the seduction of example, the moral and physical sympathy between man and man, beget epidemic errors, and propagate fanatical movements, which involve individuals of all acquired habits and all organic constitutions. As we eat and drink of the food which is in use in the country we inhabit, and clothe our bodies in the garb which society prescribes, so a large part of our character results from a national volition; and our intelligence and morality are derived from a national standard.

The organized machine, thus constructed of many

subordinate parts, subsisting in virtue of their mutual relations, and by the co-operation of many external causes, over which it possesses but little control, is liable at every instant to be deranged in its functions and structure, by excess or deficiency in its own living powers, or in the stimuli by which it is maintained in life. An ever-changing susceptibility to impressions occasions a corresponding mutability in the moving powers; and those causes, which at one moment are favourable to permanence and well-being, at another become the pregnant sources of derangement and destruction.

In every irregularity of action, physiological or moral, in the inordinate beatings of a pulse, or the cravings of a depraved will, the same phenomena present themselves, of a disproportion between the sensibility, and the causes which act upon it, and throw the organs into activity. The movements are all reducible to the primary facts of stimulation, sensibility, and action; and it is on the relation of these to the wants of the animal, and of society, that the health or the fitness of the result depends.

The several errors of action to which the machine is liable (though thus unique in their nature) are susceptible of being regarded under several points of view, and of being formed into distinct classes.

When an irregularity taking place in the move-

ments of the nutritive system, or in the functional actions of parts, tends to interrupt, impair, or destroy the activity of the organs, the error is termed a disease.

When the irregularity has a tendency to disturb the relation of the animal with externals, and produces deranged actions of the volition, affecting chiefly the person of the agent, they are termed vices.

When derangement takes place in the volitions, affecting the interests of society, the consequent action is designated a crime.

Slight irregularities of the will, which want continuity or connection, and are disproportionate to the occasional causes, are termed caprices, follies.

But when these derangements become permanent, and the disproportion of cause and effect is rendered more wide and evident, by an intermixture of false perceptions and false associations of idea, they constitute madness.*

It must be abundantly evident, that this classifi-

* The difficulty of giving psychological definitions of mental sanity, madness and folly, is extreme. They are not positive conditions, but differences in the same functional action, separated from each other by shades, too minute for the intellect to embrace. With respect, indeed, to the inhabitants of madhouses, the disease is less difficult to characterize: but there are numberless madmen, very good, at least very inoffensive members of society, going about the world, whose malady it would be difficult to distinguish from the sanity of some of their less eccentric neighbours.

cation is extremely loose, and adapted only to a coarse and approximating estimate of conduct and disposition.

If a *coup de soleil* produce a brain fever, and the patient under this influence does an injury to society, we pity his situation, and look not to punishment. If the strong excitement of spirituous potation leads to a similar offence, we feel some commiseration for the criminal, but we punish his delinquency. But if the action originate in the excessive stimulus of a moral cause, we withhold all indulgences and visit the offender with the full weight of indignation and contempt.* If a small excitement act upon organs preternaturally sensitive, and occasion suicide, the action is assigned to insanity. If a very potent occasional cause rouse an habitually settled disposition to the same consequence, the act is deemed criminal, and a stake is run through the corpse, to punish surviving relations, who had no part in the offence. In all these various aberrations, the phenomena are equally reducible to the two facts of excessive excitement, or deranged predisposition to be affected.

In the lower classes of animals, these irregularities of action, both moral and physical, are few and rare. The simplicity of their organiza-

* The reason of this difference belongs not to this part of the subject.

tion, the paucity of their tendencies, and the steadiness of their sensibility, which is little liable to excitement or depression, preserve a great uniformity in the discharge of their functions. The mammalia and the birds alone are susceptible of fever; and diseases in general are few and uncommon among the lower animals. So likewise their relations with the external world are extremely limited; and being closely governed by unopposed tendencies, they are rarely deranged. But in proportion as the functions of animals are various and extensive, they are more liable to become disproportionate and disordered.

ONE great source of error to which the voluntary movements are liable, is almost peculiar to man:—it lies in the relations which subsist between the individual and the rest of his species.

In an animal whose existence is perfectly independent of all other sentient beings, the wants of the organization are the sole criteria of good and evil: but as soon as the existence of two individuals becomes linked, the wants of both parties must be taken into consideration. It may happen that the procuring a present gratification, or the avoiding an instant evil by the one, may be incompatible with the well-being of the other. A certain given development of an organic tendency may, therefore, be good with respect to the subject himself, but evil in respect to others.

The carnivorous propensity is a source of pleasure and good to the animal of prey, but a decided evil to the victim. If, therefore, the existence and happiness of the two species were mutually connected, the extinction of both races would soon ensue. The action of preying which would be congruous to the animal's present necessity for food, would be directly the reverse, with respect to his general connection with the animal he destroyed.

This is eminently the case with the human species. The individual, incapable of subsisting in insulated independence, is equally unable to come into close contact with his fellows, without an occasional collision of his apparent momentary interests with those of others. The gratification of his passing desires is, therefore, rarely compatible with the advancement of general interests. Experience, indeed, soon teaches the necessity of combining the present with the future, and the organs acquire, by habit, the power of responding to very complex motives ; but in proportion as a motive is thus complex, and is drawn from considerations of remote contingency, it is feeble, and uncertain in its operation. Present impressions are stronger in their motive-influence than either reminiscences or anticipations ; and even in the most cautious dispositions, operate more forcibly than is compatible with uniform foresight and prudence. The

power of reason, moreover, operates only in proportion as the institutes of society, the diffusion of wealth, and the complexity of social relations afford numerous points of view and chains of consequence, to influence, at the same time, various passions. For the utmost exertion of thought is incapable of changing, in the smallest degree, the actual balance of the organic tendencies. It sets in order and in evidence the several motives which the contingency may afford, and thus may change their relative value, by the discovery, of new relations in the case : but the abstract influence of each motive on the organic tendencies remains undisturbed, and can only be changed by an alteration in the physical condition of the organs themselves. Reason influences our ideas, and through them our relations with externals ; but it leaves the moving powers of the machine exactly as it finds them. When one passion is very strongly excited, it responds by an animal impulsion, to the weakest motives, notwithstanding an intimate consciousness of their inadequacy as rational causes. There exists, indeed, a conflict in the mind, but the volition is hurried forward in opposition to the judgment.*

Where the motives of action, are few, as is the case in savage life, reason has a smaller scope for

* Video meliora proboque
Deteriora sequor.

its operation. All the contingencies of the case are *felt*, and come intuitively within the cognizance of the percipient. They can derive but little elucidation from the most protracted reflexion; while, on the other hand, the violence of the impulse (undisputed by other solicitations) hurries on action too rapidly to admit of foresight or hesitation.

When, on the contrary, civilization affords, in each circumstance of life, abundance of minute and complicated interests, operating at once upon hope, fear, avarice, ambition, parental affection, love, &c. &c., the coolest reason becomes proportionately unable to unravel every thread, and follow every doubling of the chain of causations. The most important considerations are overlooked, and the relations of cause and effect mistaken; so that events are perpetually baffling the calculations of prudence.

In this respect the organization itself becomes a traitor to our interests, since the motives which flatter a reigning passion, suggest themselves again and again, almost to the exclusion of all others of a contrary effect; and hesitation in action ceases, as soon as the doubt concerning its tendency is at an end: neither the pause nor the conclusion are within our power, but follow necessarily from the state of the organs, and are modifications produced solely by the agency of

externals.* When the passion, therefore, is gratified, the organic balance changes, and we are constantly surprised at the number and importance of the considerations which rush upon the imagination,—considerations which seem to have kept studiously in the background during the moments of deliberation.

There exists an inherent and inevitable imperfection in the laws of animal action, which renders absolute reason and virtue obviously unattainable : for while the proportion between the excitement and re-action is a constant and a necessary law of our being, it delivers the species up to all the consequences of irregular stimulation ; and, notwithstanding that happiness must be the result of a conduct proceeding from a medium of temperament, and not from the predominance of any one passion, it forces the animal to submit alternately to each, as age, sex, and contingent circumstances call it into activity.

The sexual feelings (to take an example) are necessarily powerful, for the purpose of inducing matrimony and the education of children ; in civilized life, more especially, the labour necessary for subsistence is so considerable, and its return so uncertain, that the strongest instincts are insufficient to prevent very frequent celibacy. Yet the

* This consideration escaped the penetration of Locke, when he placed free agency in a supposed power of suspending volition independently of externals.

strength of the passion is one of the most pregnant sources of misery and of error. Its object is the whole sex ; while the scheme of nature and of society (which in this instance are in perfect harmony) require that it should centre upon one female. Thus, while the interests of the species demand that the sexual instinct should, at the epoch of puberty, master all personal considerations, and take the lead of all other feelings, the interests of society, and of the individual, require that it should be very respective ; looking not only to the legitimacy of the union as it regards social relations, but to the moral qualities of the object, the adventitious circumstances of rank, wealth, religion, connections, and above all, to the probability of being able to support a family.

It is undoubtedly true that many of these difficulties arise out of artificial and truly unnatural combinations ; that in a well ordered state, matrimony should be generally within the power of all ranks ; yet it seems in the highest degree Utopian to expect from any social institutions the abolition of necessitated prostitution, vicious indulgence, unhappy passions, and ill-suited marriages ; all and every one of which are deadly poisons to social and to individual happiness. These observations apply alike to the other passions : it is absolutely necessary, in the scheme of nature, that injury should excite revenge, and violence provoke resistance ; otherwise society could not subsist. But

it is further necessary to the organization, that reaction should be proportioned to the apparent rather than the real injury; because it is impression, and not reality, that determines volition.

The existence of these imperfections in the moral agency of man is by no means a solitary fact. The law of nature has assigned generally to organized beings a regulated course, which leads from the first speck of entity through a concatenated series of movements, to the final degradation and death of the individual. Yet, in a vast majority of cases, this course is submitted to the control of a variety of accidents. One animal is preserved in existence by the premature extinction of a thousand other organized beings; and it is still liable to be cut short by the action of the elements, and of many other external causes. In the scheme of nature, the individual is nothing, the species every thing. The germs of life are apparently scattered with a bounty that knows no bounds; but their development is circumscribed with a parsimony scarcely less considerable. "It has been calculated, that if the offspring of a single herring could be suffered to multiply unmolested and undiminished, for twenty years, they would exhibit a bulk of ten times the size of the earth."* Without pausing to verify this astounding supposition, it can scarcely be doubted that, wherever the proper

* Bingley's Animal Economy "on the herring."

nidus subsists for the reception of a germ, the germ will not long be wanting; and if a natural enemy be not at hand to place bounds to its multiplication, hunger will in the end* be a sufficient instrument for this purpose. In the economy of the honey bee a still greater deviation from a perfect arrangement and harmony is manifested, in the annual slaughter of the drones; without which, a premature exhaustion of the hive would lead to the annihilation of the race.

That certain individuals should be born with predispositions to immoral conduct is not more surprising, than that others should come into the world labouring under predispositions to disease. It is in truth but the same fact variously considered.

Both moral and physical evil are indeed necessitated consequences of the finite nature of man's existence. Whatever is destined to pass away and to perish, must contain within itself a positive or a relative imperfection and feebleness, to permit its destruction. There must therefore exist causes, which in relation to the finite being are evil. But it is the pressure of physical evil which can alone open a door to moral depravity; since where there is nothing to suffer, there can be no

* The question between Malthus and his opponents relates solely to the rapidity, with which events march towards this end; the reality of the tendency to increase cannot be doubted, without an abandonment of observed facts.

desires; neither could there be possessions; and without these, man would be unassailable by his fellow man, and crime impossible.

FROM the preceding pages the following facts may be collected.

The powers of sensibility and locomotion are necessary to the existence of such organized beings as require to be supported by food, which does not flow spontaneously to them, but must be obtained by seeking.

These powers are analyzable into three facts, stimulus, perception, and reaction, which are common also to vegetable life, and embrace all moral and physiological phenomena. These are necessarily confined to definite modifications, determined by the primitive constitution of the subject. Sensation, reason, appetite, passion, instinct, are habitudes of the machine dependent upon its elementary mode of existence.

Certain tendencies to specific modes of reaction and of sensation are manifestly connected with the development of definite internal organs. These not only modify trains of thought and volition arising in external stimuli, but originate others independently of them.

The effect of stimuli is thus varied according to the precise degree of development of organs and tendencies.

These data determine the nature and quantity of thought and action.

They are, however, too complex and variable, to reduce the consequent actions, with perfect precision, to the necessities of the subject.

Every animal species has its own appropriate tendencies. In the human species, sex, age, and temperament, produce varieties of tendency.

The character of an animal is the combined result of all its tendencies.

A large part of the motive-force of certain classes of stimuli arises out of their value as signs of ideas. Reactions may, therefore, be rendered disproportionate by erroneous associations.

Complex sensations are also often but partially received; and consequently do not produce their due effect of reaction. But even when the train of causation operates to induce a congruous reaction of the animal on externals, concomitant circumstances may impede the occurrence of that reaction. These multifarious causes of error occasion diseases, vices and crimes.

Actions are qualifiable as good or evil, in their reference to the individual *per se*; and also as a member of a social body. The complexity of motive thus occasioned, contributes still further to the uncertain action of the animal machine. The consequences deducible from these facts, in the natural history of man, embrace nearly the whole that is demonstrable in moral science.

It is obvious in the first place, that though the coarse and general applications of reward and

punishment in society are necessarily founded upon a supposed equality of man, yet the dispositions and temptations of each individual are the specific results of his peculiar temperaments, habits, and necessities. Moral causes do not act, as has been imagined, upon an indivisible unity, but upon a congeries of living organs, each of which contributes *pro modulo suo*, to determine the movements of the whole ; so that each individual moves in an orbit of his own, and is himself the sole judge, who can determine with precision the motives of his conduct. Such being the nature of things, nothing can be more absurd than the notion that man ought, or can be, otherwise than he is ; except in as far as society may be able to dispose the occasional causes of action more favourably to the well-being of the species. It is a favourite assertion with many, that we *ought* not to obey our passions, and we *ought* to listen to reason. But if, in point of fact, man is too frequently prone to act in opposition to reason, and does obey his passions to the detriment of his best interests, it is obvious that the obligations to an opposite mode of conduct are wanting, or are *de facto* weaker than those of an opposite tendency. For phenomena cannot constantly occur, without the intervention of an over-ruling cause ; all speculations, therefore, which are founded on abstract considerations of duty, and which overlook the

really obliging forces of the organization, are necessarily futile and inconsequential.

These considerations lead to most important conclusions. First, they clearly demonstrate the operation of the same necessity in the causation of moral phenomena, which is observed to rule the events of the physical world. The existence of a principle or force of free will is not only not discovered in the facts which form the subject of the present chapter, but it is perfectly incompatible with their existence; and would only serve to derange the machinery in which it subsisted.

In the next place it is observable, that action following the nature of stimulation, and man consequently being the creature of the circumstances in which he is placed, his responsibility for his actions is not a moral responsibility, but must be traced to other causes than the freedom of choice.

His moral notions, and the modification of his actions, which subordinates them to a moral rule, are consequently not the result of any power of the animal over himself, but must be sought in sources extrinsic to the individual. The nature of this influence must be discovered by the same means by which all other principles are traced, namely, by an observation of facts, and not by an hypothetical assumption. It will be seen in the subsequent chapters, that such an assumption is

wholly unnecessary for explaining the phenomena.

Whatever may be imagined concerning the nature of the first causes of life, such preconceived opinion cannot be admitted, in opposition to the details exhibited in the foregoing pages. They must be judged by fact, and not fact by theory: unless, therefore, the analysis here attempted of perceptive and voluntary actions can be proved to be defective, it must be accepted with all its consequences. There is no room for asserting that it favours this or that opinion, which is, or is not, fashionable, or orthodox. Nature cannot lie; and her interpreters must be convicted of error, or received as guides. It will therefore be prudent for those who may be disposed to impugn the doctrines here laid down, or to calumniate its authors, first to assure themselves that the facts are not indisputable; lest, their verity being conceded, the objections recoil upon their authors.

It would not, however, be difficult to shew that there is no necessary connection between the doctrines of free-will or necessity, and those of spiritualism or materialism. Those who are disposed, to set up an immaterial* or unintelligible essence for the purposes of free-will

* Scripture has left the direct consideration of this point untouched: but St. Paul, in the passage which forms part of the funeral service, seems evidently a materialist.

with all its moral consequences, should know, that let the nature of an agent be what it may, man cannot conceive action independently of cause. If spirit is, and acts in our mechanism, it must operate in obedience to some attribute determining that mode of action, and no other : an attribute which forms its necessity. Without some determining cause, action could have no definite direction ; i. e. exert no moving force, and produce no result. Matter or spirit, therefore, is indifferent to the question : in either case, free agency is an impossible chimera. But it is by the facts, and by the facts alone, that the problem can be solved. Either the laws laid down in this chapter do, or do not, regulate human action, and modify its result ; and on this point the reader must form his own decision.

CHAP. II.

OF LIBERTY AND NECESSITY.

THE moment that Locke had, by a conclusive analysis, determined the general fact, that the senses are the sole inlets to knowledge, he inclusively and virtually decided the question of liberty and necessity:* for if the former proposition be granted, it follows that there can exist no power or principle capable of disturbing the relations, which Nature has established between mind and matter. The whole process of volition is placed within our observation, the whole series of phenomena is seen in necessary connection, and no point is left in which the imagination can intrude a new agent to derange the chain of causation, and give birth to the exercise of free will. If no ideas can be generated but through sensitive impressions, all trains of reflection must be governed by the accident of external stimulation, and of the associations with which it is accompanied; but as free-will, if it

* To avoid this conclusion, Locke placed free will in a supposed power of hesitation. See below, p. 56.

exist, can only be placed in the exercise of reason, the volitions also must still be rigorously determined by the nature of reflex ideas.

The labours of the successors of Locke have, in fact, been little more than developments of this great principle; and it might seem impossible for a candid reasoner to admit its truth, without also allowing the conclusion to which it leads.

The demonstration thus obtained from an examination of intellectual phenomena, has been confirmed by physiological observation of the machine, in which those phenomena arise; and the connexion of definite volitions with definite causations is thus rendered more strikingly evident.

The three facts of stimulation, sensation, and reaction, which form the elements of all physiological action, constitute equally the sum of all mental phenomena: and as no other data are necessary to explain the most complex operations of mind, so nothing more is cognizable in them on analysis.

In the ordinary operations of the organization, however, a necessary causation is not only clearly seen, but is obviously essential to the preservation of the body; but the intellectual processes being among the means which contribute to that end (co-operating in the great work of nutrition by regulating the supply of food), the same necessary causation is requisite in the mental phenomena, as in the beating of the pulse, or the secretions of a gland.

Metaphysicians have hitherto been accustomed to view the mind as master of the body; or rather

to regard it in insulation : considering it only in its higher and more sublime energies of thought and volition. The intellect, which with Newton can penetrate the abyss of space, and the will which with an Hampden or a Russell can devote itself to destruction, in the daring advocacy of truth and liberty, may in possibility be imagined to possess within themselves an inherent force, which no circumstance can control. But when these noble faculties are regarded in their not less real relation of ministers to the poor necessities of our corporeal nature (as the implements by which we prepare our food, our clothing, and dwellings, defend ourselves from the injury of external existences, and accommodate all things to the extension of our pleasurable sensations, and the avoiding of injurious impressions), it follows at once, and almost intuitively, that a fixed relation must subsist between mind and matter, by which each accident in the external world can alone produce the appropriate reaction, and determine in the animal that movement, which is in any degree congruous to its contingent necessities.

Had the mind existed as an immaterial principle, exempt from all relation with matter, save that of perceiving its phenomena, its power of determining volition independently of all external and sensitive causes might more plausibly have been maintained: because, being impassive, it would have remained unaffected by its own determinations; but when such an existence is viewed in union with a material and organic structure, capa-

ble of being injured or benefited by every external object, and obliged to preserve its permanence by a series of voluntary actions, leading to determined ends, a necessary connexion of cause and effect in all its determinations is a *sine qua non* to the continuance of that union.

Whatever may be the higher destinies of the human species, the first and immediate end of its perceptive and voluntary powers, is the sublunary permanence of the individual; the supplying those links in the chain of causation, which the involuntary functions are alone incapable of affording; in one word, the gratification of desires. To the discharge of this office a physical and necessary connexion of cause and effect is essential. If external objects did not operate upon the senses according to an immutable law, but were capable of capriciously producing various effects at different times, it is indisputable that there could be no knowledge. In the same manner, if desire did not regulate reaction with a similar immutability, if the same desires might excite indifferently various modifications of action, it is obvious that knowledge (or, to use the most elementary term, perception) could not contribute to the permanence of the animal it is destined to guide.*

* For the insurance of a congruous reaction, a fixed relation must subsist: first, between the percipient nervous system and the organs of whose wants it is to judge; secondly, between the nervous system and external nature, in order that the same causes should always, *cæteris paribus*, excite the same impressions; and lastly, between the nervous and muscular systems,

The notions which may be entertained respecting the first cause of animal life are perfectly indifferent to the solution of this question : for, however exaltedly man may conceive of his own nature and of his psychological being, his thoughts and actions are, and can be, nothing but the motions of his corporeal structure.* But every material combination has its modality determined by the strictest necessity. There is no one not absolutely insane, who would maintain that man can

to the end that the movements should be proportionate to their occasions : nor are these relations ever disturbed by imperfections in the machine itself, or in our acquired notions, without a corresponding derangement of the functions. Of this verity, mental hallucinations afford an obvious illustration. The intimate connexion of cause and effect is inherent in the nature of a machine ; but the habit of considering mind abstractedly from the body has thrown an obscurity over this truth, which it is not easy to dissipate.

* This is susceptible of demonstration : for though mind may be conceived capable of thinking independently of matter, yet that in its union with the body it operates only through the agency of a cerebral system is evinced (in spite of every captious objection,) by the phenomena of apoplexy, sleep, hysteria, hypochondriasis, &c. &c., in all which conditions the mind is modified by the affections of the body. Nothing, however, can be more vague than the notions entertained of this spiritual portion of our being. When assumed as the first cause of living action, it is taken for something dispersed over the whole body, as magnetism pervades iron ; when considered as the agent of thought and intelligence, it is seated in the brain, as on a throne. Be this, however, as it may, the first causes of movement can only set the machine into action ; the modality of the action must follow from the peculiarities of the mechanism : but the fundamental law of all mechanism is necessary causation.

will movements in directions, other than those of which his articulations are susceptible, nor in quantities superior to the contractile force of the muscles which he throws into action. Neither can he form a notion of any quality of matter, or of any species of matter which is not in relation with some one of the external senses. Thus, his powers of thought are most closely circumscribed by the physical necessities of his structure. Again, he has no command over the judgments he forms, respecting the qualities of objects, or of his perceptions of pleasure and of pain.* They change indeed in the progress from youth to age, from inexperience and novelty, to familiarity and habit; but in each successive stage of mutation, they are what they are, independently of the will, and superior to its control.

In like manner the animal has no power over his wants and desires; he can neither will himself to be hungry nor satiated; he cannot will a sexual feeling, before the age of puberty; nor command its absence, when nature requires the continuance of species. But all this adaptation of means to ends, of causes to consequences, would be useless and absurd, if, when the external object had given the perception, and the internal organization had determined its influence in the machine, an un-

* “ With regard to truth, we are so formed. that as soon as evidence strikes the mind, *we are no longer at liberty to suspend judgment.* The obscurer things are, the more we are at liberty to hesitate.”—*Burlamaqui*. The author should have said, “ *compelled to hesitate.*”

known and independent principle could rush in and interfere, to occasion a reaction, which had no necessary connexion with the circumstances in which it originated.*

ONE great source of error respecting the nature of volition is derived from the distinction between instinct and reason : a distinction which, however useful for certain purposes, has no foundation in the nature of their causation. Of the several necessities for action which attach to the animal mechanism, all are not equally imperious and instant. There are contingencies in which a definite action is urgently necessary to the preservation of life. Such are the first respirations after birth, the first efforts at sucking, the efforts which are made to ward off impending imminent dangers, and many others. In these cases, the motive force of sensation is, by an original law of nature, immediately connected with the required

* “Aucun des êtres animés n'est indifférent à toutes ces perceptions : Il est toujours compris dans leur sensibilité, dans leur faculté d'être affectés, de l'être d'une manière telle que certaines perceptions leur paroissent ce que l'on appelle agréables, et certaines autres ce que l'on appelle désagréables : or, c'est à ce qui constitue la faculté de vouloir.” *De Tracy, Volonté*, 59.

By this definition, the will cannot be an active force ; and a passive susceptibility cannot originate independent movements. This definition does not, as might be imagined confound the will with the motive. The term motive is strictly synonymous with stimulus. It is improper to say that desire or aversion, hopes or fears are motives ; they are internal affections occasioned by motives. It is not certain even that they are links in the chain of causation.

muscular movement, and its effect follows inevitably. The connexion is not formed by any association of ideas, by any preconceived notions of means and ends; but the effect follows the cause, as a motion takes place in any machine by the touch of a spring.* Of this mechanism we are conscious in a thousand actions, which we perform under sudden emergencies, without any view to a specific effect: and we infer the same causation in many movements of animals, because we cannot conceive them capable of perceiving or pre-conceiving the results which such movements produce.

In our more deliberate volitions, we either foreknow by experience, or judge from analogy, that the given movements will lead to a determined consequence, and we perform the action in order to obtain the desired result. But both these cases are alike susceptible of a common analysis into the three facts of stimulus, sensation, and reaction. In the first, the sensation relating to one tendency only, produces its effect with a certainty commensurate with the simplicity of the machine; in the other, the sensation being connected with more than one tendency, through a complicated train of reflex ideas, its result is susceptible of modification, through the peculiarity of the actual associations, and the relative activity of the tendencies they call into play.

The most complicated train of thoughts and desires, however, is reducible to a given number

* See "Sketches of the Philosophy of Life."

of movements, for which no other reasons can be assigned, than that they depend upon a fundamental law of the economy. The successive chains of reasoning which constitute deliberation, are all determined by the innate capabilities of the percipient for reflexion, arising out of his peculiar temperament and experience. There is no assignable cause why peculiar sensations should have a stronger pleasurable or painful effect than others, and consequently should occur oftener and more vividly, and should excite more powerful associations; unless it be that such is the instinct or innate peculiarity of the percipient.

Every simple judgment we form is an instinctive act, dependent upon that law of our perception, which enables us to decompose our complex ideas; and every volition is an instinctive movement, arising from a fundamental law of the economy, connecting the desire of an object with the muscular movement which is to procure it. We will, and the muscles obey; we are affected, and a movement ensues; but the connection between these parts is a mystery of nature, in which we are the purely passive and unconscious instruments.* Our reasonings and volitions, therefore, are merely more complicated cases of instinct,

* It is not here argued that, because we do not understand the mechanism of volition, therefore there is no such thing: but that voluntary and instinctive action are the same; their apparent differences depending altogether on a variation in the exciting causes. It is necessary to notice specifically this fact, in order to anticipate wilful misrepresentation.

and the division established between these classes of phenomena is purely arbitrary, and unfounded in real difference.

Actions accordingly may pass from the class of reasonable to instinctive, and *vice versâ*. The infant's first efforts to suck are instinctive, the subsequent are rational and voluntary. The untutored effort to parry a blow is instinctive; that of the pupil boxer deliberate; that of the practised master again unconscious and involuntary. All acquired concatenations of action, the movements of dancers, and of players upon musical instruments, are incessantly passing from one to the other class, and partake of the nature of both: and in all, the action is alike resolvable into an effect, connected with another by a fundamental and innate law of the structures in which they take place. But in instinctive actions the will is confessedly impotent, and jurists are agreed in exempting men from a moral responsibility respecting them. Why they do not decide in the same way concerning reasonable actions, arises, not from a difference in the mechanism, but from other causes which will hereafter become apparent.

In applying the term instinct to any act, we express but the simple fact that it depends immediately upon the play of the organization; and the most complicated instance of reason and volition is no more. But we are disposed to use the term volition for a specific function, and to consider the will in the light of an organ, or of an active principle of motion. An attentive analysis of

of ideas, however, shews that the complex term "will" should, in propriety, represent merely the aggregate of separate appetencies, desires, passions, which are the springs of individual actions.* The invention of this term belongs to the common mechanism of language, and the conversion of it into a metaphysical *ens* is an error not new in the history of logic. The error being once committed, and the imaginary *thing* being installed in due form, the assignment to it of a function follows of course; and a distinction erected between to desire and to will (a distinction, indeed, sufficiently

* If the word "will" represented a real faculty or organ, and not the aggregate of appetencies, that organ or faculty must be governed by some law; for the notion of an action without direction is an absurdity; but if the will is bound by any law, then it is no longer free-will. Accordingly, when the hypothesis of free-will is maintained, its advocates have assigned, as its scope or object, happiness or good. "The will," says Burlamaqui, "therefore, is nothing else but that power of the soul by which it is determined of itself, and by virtue of an active principle inherent in its nature, to seek for what is agreeable to it, *to act after a certain manner*, and to do or omit an action with a view to happiness."—*Principles of Nat. Law*, p. 15. It would be very difficult to say in what these words differ from an absolute declaration of necessity; or what is gained by substituting the general term, happiness, for the several pleasurable impressions which that term represents. When we say, the "will is free to seek happiness," we say nothing more than that "the organization has a power to direct the body to those objects which are pleasant:" to maintain the hypothesis of free-will, the phrase should imply, that "the mind has a power of giving what value it pleases to each specific sensation and impulse."

difficult to make good by definition), affords scope for its supposed activity. But before it is attempted to prove the will active, converting it into an organ of philosophical liberty, it is incumbent upon a logical reasoner to prove that such an organ or thing exists at all, or can be detected in operation, as a necessary part of the organized mechanism.

The feeling that the will is active proceeds evidently from this circumstance, that every voluntary action is the result of the actual condition of the body ; which, in obeying its own appetencies, and reacting upon all external opposition to its desires, *performs an act in virtue of a spring, or impulse within itself*. In this consists the difference between the force of things and the force of persons : that we act in the one case congenially with the wants of our own organization ; and in the other according to those of the party which imposes on us. The distinction, however, is ideal ; for the force of persons consists wholly in their dominion over things, and in their power of so disposing matters, as to oblige our organs to arrive at definite volitions.

The sentiment of volition, in which we embody the abstract *ens* is nothing more than the pleasing consciousness of a facile discharge of function ; as the sentiment of doubt is merely the consciousness of an hitch or difficulty occasioned by the librations of opposite and conflicting tendencies, as they are influenced by successive chains of ideas : they are both consequences of specific organic

conditions, and they vanish as those conditions change.

That the sentiment of volition is not even the cause of muscular actions may be conjectured* from the numerous cases of instinctive movement, in which no such sentiment occurs. In the act of walking, the sentiment accompanies only the first effort, and it does not return until fatigue becomes excessive; when the inaptitude of the muscles for further motion requires to be overcome by a stronger motive, which calls violently upon the attention. On the other hand, the sentiment of volition is most strongly felt in those cases in which a dominant inclination hurries the percipient the most irresistibly in a single direction. The passionate man, who is impotent of will, is he who thinks he wills with the most energy.

BUT be this as it may, all the phenomena of organic life, all the institutes of society, education, legislation, the conduct of men towards one or other, concur in pointing out the operation of a physical necessity in human thoughts and volitions;† and it will be assumed in these pages, not as an hypothesis, but as a legitimate deduction from observed facts, which can only be overthrown by more ample observation or closer inference.‡

* See de Tracy, *Traité de la Volonté*.

† See *Sketches of the Philosophy of Life*, chap. 5.

‡ “ Cette invincible nécessité, dont la vanité des sophistes se trouve si ridiculement humiliée, et au joug de laquelle ils tentent, sans moyens, comme sans motifs, d’échapper, à force

The opposite hypothesis of free-will, indeed, involves in itself a contradiction of terms. The idea of volition, independent of motive, or in contradiction to it, is an absurdity so obviously contradicted by experience, that it is universally rejected; and the supposed freedom is placed in a power of selecting between conflicting motives. But the power of selecting between motives is the power of determining their relative force, and decreeing which shall be preponderant:* in other words, it is taking the moving power from the externals and placing it within ourselves; which is equivalent to the annihilation of motives, and comes round to the absurdity, which, under other terms, is abandoned by all sound reasoners, however little versed in the subject.

In adopting the theory of free will, it is not sufficient to imagine that the brain and nervous system are unconcerned in the operations of intellect, the action of mind upon matter must also be independent of the muscles. As soon as any organized system enters into a chain of causations, the phenomena must be governed by the affections of that

de subtilités, se représente toujours dans toutes les hythothèses, et nous accable par son évidence comme par sa force.”—*De Tracy, Volonté, p. 501.*

* It cannot be too frequently recalled, that a motive is a positive influence in the organization, an impression received. We speak of motives as things which *ought to move*; whereas, in strictness of speech, they are things which *do move*.

system. A powerfully developed muscular apparatus is observed to propel the individual to indulge in certain athletic exercises, and thus turns him from sedentary pursuits ; while those in whom the muscles are feeble, are as forcibly led to cultivate the intellectual pleasures. Thus this system of organs is most influential in determining the ideas, the desires, the position in society, the virtues and vices of the percipient, in a manner too evident to be contradicted.* Between a denial of the agency, and a denial of the existence of a material body, there is no middle term ; but material beings can act only according to the laws of matter, that is, through a necessary catenation of causes.

The doctrine of free-will, though pertinaciously upheld by its advocates, as an abstract theory, intimately connected with the happiness and dignity of man, though pompously announced as the undeniable basis of a long train of important conse-

* “ Nulla fere est actio humana quæ initium non sit catenæ cujusdam consequentiarum adeo longæ, ut ad finem ejus prospicere providentia humana nulla potest.”—*Hobbes’ Leviathan*, cap. 31.

The muscular and the nervous systems are mutually opposed to each other : and the relative size of the brain and of the *foramen magnum* (the orifice through which the spinal marrow passes on leaving the skull) has been taken as a standard for ascertaining the intellectual powers of animals. Without too much insisting upon this argument, it may be generally assumed that the larger the nerves of motion are, relatively to the rest of the cerebral system, the more heavy and circumscribed are the intellectual powers. This fact cannot be regarded as indifferent to volition, since no one can be influenced by motives which he has not a capability of perceiving or appreciating.

quences, and defended from attack, not less by denunciation and persecution, than by argument and persuasion, is inevitably abandoned, whenever it is applied to facts. Upon entering the region of realities, its unmanageable nature is at once rendered evident, by the subject becoming involved in inextricable contradictions. If the individual have a power of reacting arbitrarily upon given contingencies, how is it that experience can be made an useful guide in human affairs? If history be available in conjecturing the results of political combinations, if acquaintance with the world enables its possessor to predetermine with considerable accuracy the conduct of those with whom he is engaged in affairs, then is the human will tied down and bounded by some law which determines such uniformity; and thus, it ceases to be free.

Again, if men have the power to will freely, why do they not always choose that line of conduct which is good? Either they know it not (and then ignorance fetters volition), or, knowing it, they cannot adopt it; which is a direct contradiction of the hypothesis. To say that men are perverse, wicked, addicted to worldly pleasures, &c., is to abandon the whole question: since, if they are so, they are not free to choose, being manifestly under the influence of a predisposing cause. Original sin and free-will are propositions involving a mutual contradiction.

THE long train of observation, and the deep acquaintance with metaphysical discussion, generally deemed necessary to the investigation of this

subject, seldom fail to repel the curiosity of ordinary readers ; and the theological refinements in which it has been involved, tend still further to perplex and to disgust. From this circumstance has arisen the prevailing disposition to dwell more on appeals to the passions than to the reason, and to urge rather that the doctrine of necessity is degrading and dangerous, than that it is false.

To affirm that a proposition has a tendency to lower our personal consequence, or to affect the security of our property, is a most probable means of seizing the attention and of seducing the judgment. The coarsest intellects have a sort of instinctive perception that truth and utility are intimately connected ; and assumptions of consequence rarely fail in producing prejudgment. The evidence of verity is, however, in its nature, totally independent of such considerations. When a point has been established, its consequences may become a subject of investigation ; but to make these the tests of unexamined propositions, is to violate the simplest canons of logic and philosophy.

The absurdity is still greater when, as in the present case, such a line of argument is employed to rebut direct observation, and the evidence of facts ; for the argument recoils upon him who advances it : since the facts speak for themselves, and cast immediate suspicion on the soundness of the reasoning which is hypothetically opposed to them.

That any opinion can be degrading to humanity, except inasmuch as by its absurdity it may be

tray the imperfection of our powers of reasoning, is totally incomprehensible. If man by thought cannot add a cubit to his stature, neither can he subtract one from it. He is what he is; and to adopt a proposition, merely because it places humanity upon stilts, is no less arrogant, than absurd and inconsequent.

THE doctrine of necessity is considered dangerous, as being destructive of the belief of a future state of rewards and punishments, inasmuch as it is supposed incompatible with moral obligation. This inference is by no means correct; liberty and necessity being wholly indifferent to the question. The hypothesis of free-will, as explained by divines, differs from that of necessity only in substituting for the physical control of matter over the corporeal organs, a metaphysical bias in the soul, which, as they say, predisposes, without obliging (*i. e.*, exerts a force which is no force at all). Scripture expressly takes from us real free-agency when it asserts that "Man is prone to evil as the sparks fly upwards;" and in so doing, refutes that personal imputability, for the sake of which, necessity is held in such ill repute. There can be no general effect without a general cause, and the existence of that cause, be it in the soul or in the organization, is equally hostile to philosophical free-will, and the moral imputability derived from it.

Agreeably with this truth, which seems to have been felt by the founders of our dogmatic systems, the imputation is by them removed from the indivi-

dual, and derived from the original sin of the common parent of the race. So, likewise, as man is condemned before the hour of his birth, for no demerit of his own, he is saved by the especial operation of divine grace, independently of all imputed desert. The whole affair depends on divine wrath and favour, and is independent of mere works. If man cannot be saved without baptism, nor do the smallest act that shall be agreeable in the sight of God, without his especial aid and assistance, individual merit is altogether out of the question.

It is not the object of the present work, to demonstrate the coherence, the rationality, and moral tendency of this doctrine, nor to trace its agreement with the Scriptures, on which it is founded : but such being the received and orthodox belief, it is the height of arrogance and of absurdity in those who profess it, to stigmatize the doctrine of necessity with the brand of impiety.

That the doctrine of necessity has a tendency to unsettle men's disposition to virtue, by inculcating the impossibility of resisting one's destiny, is perfectly false ; on the contrary, it affords a much greater security for good conduct than the doctrine of free-will. For if our happiness be so bound down by a necessary causation to definite lines of conduct, and if actions be inherently and of themselves good or evil, and produce their own reward or punishment, that very consideration becomes a motive forcing us to choose and select our behaviour with more precision. It is true men are obliged by the necessities of their organization ; but

the first of these necessities is to search for happiness; and a knowledge of the necessary consequences of an action, in proportion as they are clearly understood and strongly felt, operates independently of any inherent power of will to determine its nature. According to free-will, our happiness is in our own hands; but that happiness rests in another world; and the consequences of misconduct may be remitted to us at the pleasure of the lawgiver: whereas, necessity is a blind law, that leaves us nothing to expect, except in as far as we can command the causes, which are calculated to operate our own good.

There is, therefore, this essential difference between the doctrine of necessity and that of predestination; that according to the latter, if the end is predestined, so also are the means, independently of any effort of our own; whereas according to necessity, if the ends are desirable, we know that they are attainable only by adopting the means for arriving at them; and the knowledge of the fact is among the causes which influence conduct, and determine our mode of being and acting.

With respect to an omniscient being, it is true, all events being foreknown and inevitable, energetic volition may be considered as a metaphysical impossibility. But man, knowing not what is predestined, and being conscious that no end can arrive but through its appropriate means, is forced by his instinctive desire of happiness to adopt those means, as far as he can distinguish them. He knows that (predestined, or not predestined)

events cannot arrive, but through the operation of their causes; the management of causes must therefore be a motive to his will, in spite of all theory. In point of fact, however, nature seldom permits theory to interfere with her operations; and the religious fatalist, though he may refuse to take remedies, or to avert the plague by attention to cleanliness, does not refrain from eating, drinking, self-defence in battle, or avoiding palpable dangers, under the influence of his particular creed.

Another objection urged against the doctrine of necessity, is that by excluding merit and demerit, it overthrows the right of punishing malefactors. This objection is founded upon a mistake in the nature and end of punishment: concerning which, a few words may be necessary.

Our actions being under the government of a physical necessity, and determined by the conjoint effect of individual organization and external circumstance, it follows that the qualities of good and evil are not to be sought in the causes through which actions originate, but in the effects they are calculated to produce upon sentient beings. The chemical or mechanical force which changes the condition of an inorganic body, can neither be qualified good nor bad; because the body so changed, being insensible, no comparison can be formed to give a preference to the first state of its existence over the last. But to a sensitive being, every change, absolute or relative, may become the cause of a greater or less degree of facility in

the discharge of its functions,—may affect it with pleasurable or painful impressions: and it is in reference to such changes, that the epithets of good and evil are exclusively predicable.*

The great law of self-preservation, operating through pleasurable and painful sensations, determines the species to hate and avoid the latter, and to seek and love the former: that is, to refer the qualities we perceive in our own sensations, to the external causes which we see operative in occasioning them. Connected with this instinctive qualification of externals is the instinct of vengeance, as instrumental to the repulsion of noxious causes. Children and passionate persons strike and destroy the objects of their displeasure from mere impulse, although they be inanimate and incapable of feeling their wrath. A little experience, however, is sufficient to give a new direction to

* Pleasure and pains are changes which the animal perceives within itself: good and evil, collective terms, to class external objects in reference to their relations with these physical conditions. They are consequently inapplicable, except in reference to percipient beings. It is, however, a common error to suppose that general terms imply general causes, and thus to pursue useless inquiries concerning abstract entities.

This is the pedigree of the stoical notions of good and evil, and the absurd separation of the good from the useful. "Because pleasure and pain are produced in us by the operation of certain objects, either on our minds or our bodies, and in different degrees; therefore what has an aptness to produce pleasure in us is that we call good, and what is apt to produce pain in us, we call evil, for no other reason but for its aptness, &c. &c."—*Locke*, b. ii. chap. 24. sec. 42.

this tendency, and to confine punishment solely to those agents, which, being sensitive, are the legitimate objects of our displeasure. The first or instinctive object of punishment is to give pain, to make the offender suffer, as a compensation to the injured party for the suffering he has endured:* the severity of punishments is, therefore, an accurate measure of the barbarity of nations. The reasonable end of punishment, which experience sooner or later discovers, is not, however, the gratification of malice, but the correction of the offender.

It is not then as moral beings, from whom a measure of suffering is due in return for the suffering they have inflicted on another, but as sentient beings, capable of being turned from certain tendencies by the infliction of pain and privation, that men are justly subjugated to rewards and punishments.

The punishment of offences is an exertion of physical force directed to increase the sum of human happiness. The right, as will hereafter be shewn, arises in the power, the reason; or the moral fitness lies in the tendency which punishment has to control vicious and dangerous dispositions. As it is foolish to punish insensible objects, so it is wicked to inflict suffering beyond the measure necessary to correction. Legislators, therefore, lie under an obligation to proportion

* Or, rather, to gratify the instinctive malignity which pain engenders.

their denunciations to the necessities of the case ; or in the loose language of common phraseology, have no right to inflict excessive punishments.

The notion of punishment, in connection with moral responsibility, is a mere development of the instinct of vengeance ; and it is through this association of ideas that we have been prone to represent the being above all anger and passion, as preeminently vindictive. Thus, too, punishment as an act of vengeance, having no other bounds than the passion of the injured party, the notion of infinite punishment has naturally arisen, as alone commensurate with the anger of him, whose every attribute is supposed to be infinite. From this analysis of ideas it follows, that utility is at once the sole standard of good and evil ; the basis of our judgment of moral attributes, and the legitimate measure of our inflictions on sensitive agents.*

* “ A quoi en effet accordera-t-on le caractère *d'utile* si non à ce qui donne du plaisir.”

Dumont, Théorie des Récompenses, p. 257.

If “ useful” be that which gives pleasure, and pleasure and pain are the standards of good and evil (they are the same facts seen under two different points of view), then utility, pleasure, and good are respectively convertible terms : and in fact they are never opposed to each other, but in false and circumscribed views of the action, or train of actions, to which they are affixed.

This doctrine, for which Epicurus has been so much abused, is the doctrine of Locke, of Malebranche, and of South (see Ensor’s Independent Man, vol. 1. p. 303), and of the majority of the most enlightened philosophers of all ages.

Of this truth we have a familiar application in our ideas respecting the treatment of domestic animals. That degree of infliction, which is necessary to tame them to our purposes and service is not deemed immoral, however severe it may be. We have lately read in the papers, accounts, written with great *sang froid*, of the superior advantages of killing whales with a Congreve rocket, that burns its way into their innermost viscera; yet a whole community will exclaim at the man who gives his horse an unnecessary beating. On a similar principle it is deemed allowable to castrate animals, for the purpose of altering the quality of their flesh, or to improve their docility; but decidedly wrong to mutilate less important organs for the gratification of mere caprice.

The doctrine which thus renders utility the test of good* has been opposed by much idle cavilling, and is even yet railed against as an impious substitution of worldly motives for the declared will

* "Moral good and evil," says Locke (b. 2. c. xxviii. § 5), "is only the conformity or disagreement of our voluntary actions to some law, whereby good and evil is drawn upon us from the will and power of the law-maker." This notion, which is strictly theological, is still founded upon utility: for, if our happiness is not subordinate to the will of a law-giver, his orders cease to be morally good or evil. Between the natural and the revealed law there is, however, this difference, that in the former the reward and punishment are immediate consequences of the observance or non-observance of the rule, the cause and effect are inseparably coupled,—while in the revealed law the connection is accidental, remissible, and fettered with a variety of conditions.

of Heaven. The ignorance or bad faith of theologians are thus at every turn engaged in making that which is in itself plain, obscure ; and in impeding, by their juggling sophistry, the march of intellect.

The measurement of the natural law by the standard of revelation (however respectable its source) is a total inversion of logical procedure. The sovereign creator of the universe cannot be inconsistent with himself, and it is by his will, as manifested in his works, that we can alone judge of the pretensions of any revelation to credibility. It matters not how specious the miracles, how imposing the testimony by which it may be supported, all reasonable beings would at once reject it as false, if brought forward to sanction a code which was at variance with the leading points of natural morality.*

But the conduct which is justly qualified as “useful,” is that which conspires to render the interior movements of the organization regular, wholesome, and productive of happiness ; that which, by developing society, multiplies to the greatest extent the number of the species, while it gives to their sensibility the greatest sphere of activity. This accordance with the nature of things is the stamp of the merit of conduct before God in the natural law ; from this law society

* “ La loi naturelle est la loi ainée, devant qui toutes les religions plus modernes doivent plier comme ses cadettes.”—*Toussaint, Disc. Prélim. les Mœurs.*

cannot deviate without encountering suffering and privation, and in this penal consequence the will of Heaven is most evidently declared. If, then, in our judgments of actions there exists a discrepancy between natural and revealed morality, between what is useful and what is permitted or enjoined, either our conceptions of the utility of the act are false, or the revelation is misunderstood or untrue.

It is in the highest degree painful to reflect upon the shallow sophistry again and again refuted, with which this argument is met ; and to hear it perseveringly asserted, that the doctrine of utility is a hollow pretence to justify selfish and abandoned conduct. Which of the philosophers, it may boldly be asked, ever understood by utility the cold and heartless calculation of self-interests that places the individual in isolation from his species, or in open warfare with them? What philosopher, worthy of that name, ever said it was lawful to commit a crime, because impunity might be insured? Yet is there never wanting a race of persons, of narrow intellects or of depraved hearts, to lead the cry against them, and to persecute with their slanders and inuendoes whoever has the courage to defend an independent opinion.

The test of utility is the only absolute criterion of actions susceptible of a rigorous application. The asserted will of Heaven may be variously expounded,—may be contested ; but, except in a very few and rare cases, the common consent of mankind cannot permanently err in the summing

of the painful or pleasurable consequences which result to society from individual conduct.

Neither does the adoption of this test at all invalidate the religious sanction ; on the contrary, it is highly useful, and adds weight to that sanction, by curbing corrupt and designing men in their attempts to prescribe actions injurious or indifferent in their tendencies, as the commands of Heaven. If the yoke of true religion be easy, and its burthen light, there is no load more grievous than that of superstition : but whatever is burthensome and makes no return, must, in the end, become odious ; and with superstitious practices, men are too prone to discard the moral duties which have been abusively connected with them.

It has been by thus raising the religious sanction, not merely to a supremacy among motives, but to an exclusive influence, that licentiousness has been introduced with every slight relaxation in national credulity,* and that men have been driven to bolster false religion by acts of persecution (to the scandal of the candid and the pious), rather than risk an influx of light, which by suddenly breaking up national modes of faith, might deliver the people to the violence of their uninstructed passions. The real or pretended dangers of free inquiry depend immediately upon this misconception,

* For instance, on the downfall of puritanism under Charles the Second.

which balances the future against the present, and by opposing heavenly to mundane interests, draws a fallacious line between our interests and our duties.

Another and a most fatal error which has sprung from this mode of considering the subject, is the doctrine that the incitements of passion are inherently evil, and that the business of life is to annihilate their influence. This precept is in direct variance with natural instinct ; its injunctions are physically impossible ; and while it confounds our notions of the causes of human action, it tends to inspire despair in scrupulous and timid minds, and promotes self-abandonment in those that have been but slightly criminal.

Aristotle, a philosopher of all the Greeks the most conversant with physiology, places the essence of good in the harmony and proportion of actions, and makes virtue a medium between the two vices of too little and too much.* He clearly saw that no disposition or tendency which man has received from nature, can be without its object, a superfluity and a vice in the system. In all those excesses, of which men are guilty in the use of the non-naturals, the consequential penalties

* Τὰ δὲ γὰρ ὑπερβαλλοῦσα γυμνασία καὶ τὰ ἑλλείπον τα φθείρει τὴν ἰσχύν. Ομοίως δὲ καὶ τὰ ποτά καὶ τὰ σιλία πλείω καὶ ἐλάττω γινόμενα φθείρει τὴν υἱείαν. Τὰ δὲ σύμμετρα καὶ ποιεῖ καὶ αὖξει καὶ σώζει οὕτως οὖν καὶ ἐπὶ σωφροσύνης καὶ ἀνδρείας ἔχει καὶ τῶν ἄλλων ἀρετῶν κ.τ.λ.

at once declare the error. Yet no philosopher has been mad enough to assert that eating and drinking are evil, because their abuse is destructive of health. It is not a less absurdity to believe that any other of those natural tendencies, which arise out of the healthy play of our organs, are abstractedly and generally vicious; yet, in all the common-places of morality, the passions, like the devil in a lawyer's indictment, figure as a paramount agent of evil, and are placed under a general and indiscriminate anathema.

The doctrine of the operation of a physical necessity in the processes of mind will receive a still greater consideration, when the nature of obligation comes to be discussed. The very word itself, however, and the sensible image it excites, are directly hostile to the hypothesis of free-will. For how can that will be *free*, which is *obliged* (that is fettered) by any considerations or circumstances?

Liberty is, in fact, a notion exclusively applicable to exemption from the force of persons; and its application to the force of things is a metaphysical absurdity, arising out of an ignorance of the true nature of the relation. We are free, when we have the power of obeying the dictates of our organization. It is absurd to place freedom in the permission to do things physically impossible; and it is not less so, to seek it in a power to do things physically ungrateful and repugnant to our nature. When, therefore, we are most free, we

act the most unreservedly in obedience to fixed laws : to the laws, namely, that preside over the organization, and determine its affections.

The closer the notion of free-will is examined, the more chimerical it seems to be, and the more repugnant, not only to the observed facts of terrestrial and material agency, but (what to certain minds will seem infinitely more conclusive) to the relations which are ascribed to immaterial beings. For how this spiritual freedom of man can exist, compatibly with the omnipotence of a deity, is difficult to conceive : since it is impossible for God to grant such a power to other beings, without liberating their actions altogether from his control. It is vain to enact laws, if those for whom they are constructed despise their sanction ; the judge may punish indeed, but he cannot prevent crime.*

* This truth is illustrated in every story of the agency of the devil. That being, as he is represented, having endured the utmost of God's vengeance, without being annihilated, is free to follow his own depraved inclinations, in defiance of omnipotence. God indeed is depicted as counteracting the effects of his malignity, by acts of power and mercy, but he is represented as unable to prevent the overt acts of his malevolence. He cannot control the devil's will, nor prevent his activity, but by that force of persons,—that physical restraint, which is among the means of finite and circumscribed beings. On the hypothesis of necessity, the devil may be considered as playing a subordinate part in the sum of things, and as contributing, even contrary to his intentions, to the harmony of the whole. But according to the notion of free-will, the belief in the existence of such an agent in the universe (modify it how they will) can scarcely be taken as at all short of pure dualism. Though the Manicheans alone have had the courage to admit the consequence.

If, therefore, for no other reason, for the majesty and dignity of the godhead, the theory of free-will must be abandoned.

The doctrine of necessity, however, (it is requisite to repeat the fact) is adopted in the present discussion, as a demonstrated verity; as a law, rendered apparent by all the phenomena which have been passed in review. If, however, the consequence is deemed not traceable to the premises,—if the advocate for free-will is fixed in his opinion,—he is at full liberty to introduce his favourite agent, in all cases in which he can prove that the party is not guided by the necessary influence of motives. When he has exhibited his principle in action, and traced its operation by an undeniable fact, there is nothing to be replied: but in all cases in which he fails in this effort, in all cases in which a proportion is seen to exist between cause and effect, he must admit the consequences which flow from that proposition; and this is all that is asked in the subsequent chapters.

CHAP. III.

OF THE ORIGIN AND DEVELOPMENT OF MORAL IDEAS.

THE doctrine of physical necessity being admitted, it must follow as a necessary consequence, that the individual has no control over his own actions; that he must in all cases react upon the stimulus of external combinations, according to the peculiarity of his temperament, &c. &c., having no power in any contingency of responding in two or more ways indifferently to their excitement. In what way then, it will be asked, is he enabled to form himself to prescribed lines of conduct, and to attain to that uniformity and consistency of character, that distinguishes virtue from vice? The solution of this difficulty lies in the operation of society upon its constituent members.

To explain this fact in its details, it is necessary to examine the composition and origin of the leading ideas upon which moral propositions principally turn.

The simple sensation of pleasure and of pain, it has been seen, is sufficient to generate in an animal capable of expressing thoughts by language,

the notions of good and evil, which are merely general terms denoting those common qualities of pleasure, or suffering, which we find in all sensations not absolutely indifferent to the passions, or imagine in the external causes by which sensations are excited.

Whatever conveys a pleasurable sensation, is, in itself, and as far as that sensation goes, a good : but the animal not being a simple existence, but a complex combination of many organs, is susceptible of many modes of affection, which are often mutually dependant upon each other.*

This connexion of the organs and sensations, subjects a large portion of our pleasures and pains to the harmony or dissonance of the whole machine. Sensations and their causes thus become estimated not merely by their own nature, but by the sensations, which in the catenation of animal action, they are calculated to produce. Agreeable, but indigestible food (for example) which is good in its impressions on the palate, is evil in the sensations it excites in the intestinal canal ; and we are compelled to correct our first judgment respecting it, by our experience of the preponderating evil it occasions, through its disturbance of the

* " Further, though what is apt to produce any degree of pleasure, be in itself a good, and what is apt to produce any degree of pain, be evil, yet it often happens that we do not call it so, when it comes in competition with a greater of its sort ; because when they come in competition, the degrees also of pleasure and pain have justly a preference."—*Locke*, b. ii. c. 24, sec. 42.

health. Thus, any pleasurable sensation, by its consequences, may become converted to an evil : and a pain, *vice versa*, may come to be regarded as a good. So also a pain that prevents many pains, and a pleasure that prevents many pleasures, change their relations to good and evil ; and thus by a simple observation of his own sensations, man is led to perceive a difference in two sets of ideas, which at first he must have esteemed to be perfectly analogous : good becoming separated from mere physical pleasures, and being applied only in its relation to more permanent happiness.

Among the consequences which affect either the duration or the well-being of the individual, there are none more important than those which its actions produce, through the re-actions of other sentient beings. The human animal, more especially, by the dependence in which he is placed on others of his own species, is not less susceptible of pleasure and pain through his intercourse with society, than through the agency of the elements most necessary to his existence. Thus his actions are subjected to a new criterion of utility ; and are measured by their tendency to induce in other individuals, re-actions favourable or unfavourable to happiness. That which may be indifferent or even useful in itself, may become evil by inflaming the angry passions of others, and thus of producing outrage.

The sympathetic and social affections likewise determine a variety of pleasures and pains, proceed-

ing from the pleasure or pain we perceive in others. These oblige us to qualify causes as good or evil, according to their double influence on society and the individual. We abstain from what we perceive to give pain to others, because we cannot endure the spectacle of their misery; and we deprive ourselves of many gratifications to serve others, because the sensation we thus procure, is physically stronger and more pleasurable, than those which would have proceeded from self-indulgence.

These acts are purely organic; and this extension of the term good and evil is a mere result of observation; analogous to our judgments concerning colours, or any other property of tangible matter, which are liable to be corrected by experience.

BESIDES the evil that may accrue from certain modes of conduct, in consequence of the re-actions they may occasion in other individuals, there are reflex consequences, which may prove injurious to the agent by their tendency to injure society, of which he is himself a constituent member.

The value of these acts does not lie in the consequences which flow from a single instance, but from the effects which would follow if every one indulged in their commission. A single robbery or murder may be committed with impunity, and the criminal, perhaps, imagine a temporal advantage in the act: but if every man took to himself the same privilege, property could not exist, and life would be rendered at once precarious and

miserable. Society, indeed, exhibits* instances of successful villainy, in which selfish individuals have overlooked these consequences, and lived at the expense of the species. In cases of public delinquency, more especially, vice has triumphed in the possession of wealth, power, and even of honors. But these exceptions by no means invalidate the rule; since, in the first place, society looks sufficiently after its own interests to prevent its granting impunity to many offenders: and further, as such hostility to the species can only be carried on by many overt acts, which in the long-run must establish the character of the party, men naturally become guarded against him; so that the chances of his ultimate success are even less than in any other gambling speculation. With respect to those wholesale villains, who build their fortunes on the ruins of their country, their speculations are still less favourable to themselves; for besides the chances of infamy, ruin, and even of capital punishment they encounter in their march to power, they must endure the reflection of entailing misery on their children to the latest posterity.

In public life, the whole experience of history proves, that the most successful criminals, even they who have transmitted an undisputed crown to

* The number of these exceptions is not, however, so great as is imagined; and Plato's sentiment, as a general proposition, is sufficiently true: *οὐκ ἂν ποτε γένοιτο εὐδαιμων οὔτε πολὺς οὔτε ἀνὴρ οὐδεὶς, ὅς ἂν μὴ μετὰ φρονήσεως ὑποδικαιοσύνη διαγαγῇ τὸν βίον.* Πλάτῳ *Επίστ.* 7.

their children, have ill consulted their own happiness in the purchase ; and that the insane desire of tyrannizing over others is not less pregnant with personal suffering, than the tame surrender of our own proper liberties.*

In private and domestic matters, criminal conduct, even in a single instance, is still more fatal. For, no one can be perfectly secure against discovery, nor escape from the consciousness that punishment or disgrace may overtake him. Then, again, the human mind is so constituted, that the most valuable objects excite not, in possession, the same pleasure which they promise in expectancy ; and when clogged with the recollection that they are purchased by the loss of peace, they become absolutely disgusting.

But most of all, it is to be observed, that man is so much a creature of habit, that no one becomes suddenly criminal ; and before an individual can abandon himself to any heavy offence against society, he must already be prepared to follow up one violence by another, and so sink into a course of life, the dangers and misery of which no one will for a moment deny.

IN proportion as society becomes complicated,

* It must, however, be admitted that this is a case in which the real connection of cause and effects, the actual bearings of conduct upon happiness, are the most difficult to seize. It is consequently rare that the culprit finds the vanity of his speculations, until (life receding from his grasp) their futility or reasonableness are of little or no consequence to him. His career is over ; and though he may regret, he has no scope for amendment.

the bearings of conduct, with respect to utility, become more various; and the motive power of externals is further removed from the physical character of the stimulus. The qualification of good and evil is consequently more loosely attached to what is merely painful or pleasurable in the first instance; and actions partake less of instinctive, and more of rational causation.

The natural operation of an external stimulus is to induce an immediate re-action, directed to realize the pleasure it offers, or to avert the pain it occasions. In early life, more especially, the body reacts with infinite promptitude upon its sensitive impressions. At this period of existence, all the organic movements indicate, by their rapidity, the acuteness of sensibility, and the vigour of the vital forces.* The circulation and the digestion proceed with a greater velocity, diseases are more acute, sensations more vivid. The variety and intensity of impressions, which accompany this constitution of the body, hurry forward volition with a rapidity unfavourable to reflection. The percipient is neither conscious of the value of half the complex sensations he receives, nor has experience furnished his memory with analogies by which he can compare them. Youth is perpetually the dupe of appearances, and the victim of a con-

* The pulse of infants generally beats 120 times in the minute, and the organic functions, being mounted not only to preserve life, but to extend the bulk of the body in all directions, possess a vigour and a promptitude of action which renders the constitution much more susceptible to external impressions.

fiding obedience to first impressions. But as life advances towards maturity, this physical condition of the body, so necessary to its growth and development, gradually subsides ; and an acquaintance with the world begets a necessity for pursuing more attentively the chain of causes and consequences. Hope and fear mix their suggestions with all the impressions of sense, and by balancing the other tendencies, dis sever the original organic associations of stimulus and re-action ; establishing others in which long trains of ideas intervene between the sensation and its ultimate consequence.

The whole progress of life is occupied in this species of education ; every misfortune or failure becomes a motive for distrusting first impressions, for scrutinizing their value, and comparing them by their analogies with foregone similar combinations. The result of every case, when committed to the memory, becomes a fact, whose motive power influences all future combinations till the end of life. This is a fundamental law of cerebral action, over which the individual has no control. Some men are by nature more cautious, and given to circumspection than others : and there are individuals whom no experience can teach. It is altogether a matter of constitution, and, like wisdom and genius, cannot be infused at the pleasure of an instructor.

This observation is equally applicable to the generations of men, and to the progress of civilization. Savages, the infants of society, exhibit the same unworn susceptibility to sensation, the

same promptitude to action, the same ignorance of consequences. But in proportion as society improves, facts and observations are multiplied, motives become complicated, and by acting at once upon many tendencies, give a consistency and uniformity to life which cannot result from the temporary exaltation of single propensities

It is thus that the organization itself, operated upon by the force of circumstances, develops the notions of good and evil, changing their application to particulars, according as more accurate knowledge is obtained of the properties of matter, and the tendencies of action. The standard of utility remains constantly the same, but it is associated with longer trains of consequences; and, ceasing to be derived from mere physical impressions, is itself measured in reference to the sum of all our sensations. Not only in the progress of events do we change our notions concerning the tendency of actions, but the actions themselves are liable to change their relations to our happiness. The force and ferocity, which in the infant condition of society are necessary to the preservation of existence, become dangerous and intolerable when called forth in the bosom of well regulated states.

But in every condition of life, and whatever may be the notion of the individual respecting the tendency of actions, he must necessarily be influenced by externals, according as they actually appear to him, with all the associations which experience, education, and public opinion may have attached to them. Among the immense variety of judgments, however, which men pass, the great

majority are prejudices, and consequently very frequently errors. In the progress of knowledge these prejudices descend from the learned and the observant to the ignorant classes of society, who are thus always in arrear of the rest of the world. Between the operation of this cause and the greater pressure of their physical necessities, the poor are more exposed to the necessity of committing criminal actions than others. According to the doctrine of moral imputability, they should be subject to lighter punishments for their offences: whereas, according to the doctrine of utility, they require severer inflictions, to countervail their stronger tendency to crime; and society in leaning heavily, as it does, upon the offences of the laborious and uneducated classes, bears decisive evidence to the true nature and generation of our ideas on this subject.

The conclusions to which we are thus brought concerning good and evil, lead to this corollary, that evil is essentially interwoven into the nature of our existence; that it is physically impossible for sentient beings, liable to destruction and to injury from the surrounding elements, to escape those rude impressions from external matter, which occasion pain. It is equally impossible that animals, destined to subsist by their own exertions, and to be instigated to those exertions by their own sensations, should be exempted from strong emotions of desire, which, not being gratified, are the occasions of our bitterest sufferings. Physical evil, therefore, derives immediately from the organization and its relations to inanimate matter;

and moral evil is an immediate consequence of physical suffering.

The great question of the origin of evil thus resolves itself into a still more general one ;—namely, why creatures like ourselves, sentient and intelligent, were created : for *sentient*, being given, susceptible to pleasure and to pain follows as a necessary consequence. Pleasure and pain are cor-relatives, and the existence of each is mutually dependent upon that of the other ; but sensibility without pleasure or pain, would be in itself an evil, if it were not wholly an inutility. To the solution of this problem, one of two propositions seems absolutely necessary ; the first derogatory to the infinite goodness of the Deity,* and the other, to his omnipotence (namely, that he did not create matter, but is bound by its inherent qualities, and obliged to mould it to his purposes, as the potter avails himself of the tenacity of the clay). Upon this last hypothesis alone is that dogma tenable, which compensates for existing evils by future and eternal

* Infinite goodness cannot in sound logic be predicated of the Deity, without overturning the doctrine of eternal punishments. With respect to the devils and the reprobated, we cannot say that God is good, without a manifest abuse of language.* The more we examine our ideas, and the greater accuracy we give to our words, the more evident it becomes that we are wholly unable to affirm any thing positively of the nature and attributes of a Being, who has sedulously withdrawn himself from human scrutiny. Silent adoration is all that is left us.

* Justice is qualified “good” because it tends to promote happiness, either by correction of the offender or by example ; but neither of these ends are answered by eternal punishments, which belong altogether to vengeance.

felicity. For what has omnipotence to do with compensation? On the other hand, to say that things as they are, are the result of God's pleasure, expresses resignation to the divine will, but concludes nothing concerning the moral attribute. From such discordant and unsatisfactory results, we can arrive at no certain conclusion, save the knowledge of man's incapacity to comprehend the subject. We imagine ourselves to be employed on things, when our whole dispute is about words, in the vain endeavour to clear up the confusion and contradiction of a few abstract notions.

But to return. If in the origin and outset of life, the human will were as perfectly a *tabula rosa* as the mind; if there were no innate organic tendencies, whose congenital excess or defect could influence the moral character of the individual, yet he must very early, and long before the period of moral responsibility, become enchained by a thousand uncontrollable circumstances, amalgamating him with the age, country, and class, with which accident has linked his existence, and determining the general tenor of his conduct through life.

In a system which places the administration of justice, or even the private judgment of character, upon the merit or demerit of the individual, all these considerations would require to be distinctly and accurately weighed; a circumstance which, in practice, would be utterly impossible. Experience, however, and necessity, have guided mankind right, in spite of the imperfections and errors of their theories: and punishments are

awarded in some approximation to the importance of the crime to society, the force of the temptation, and the difficulty of the discovery ; without the least regard to the individual, the peculiarities of his constitution, his social position, his ignorance, or his wants.

But if such be the nature of our judgments,—if we are instinctively impelled to qualify things and actions as good or evil, accordingly as they affect us with pain and pleasure, why, it may be objected, are mankind so prone to inquire into the motives of actions, and to regulate their opinions of men rather by their presumed intentions, than by their manifest overt acts? This question is not difficult to answer. All our judgments of men and their actions are regulated by the pleasure or pain those actions are calculated to produce in ourselves. We are easily led to overlook and to pardon offences by which we cannot personally be injured. The man who has no money dealings, thinks lightly of forgery. All men think more or less lightly of sexual crimes, where their own families are not in question ; and nothing is more common than to hear it observed, that “such a man is a great rascal, but he has always been kind and just to me.” These judgments are matter of pure instinct, and there are even dispositions so morbidly influenced by envy and jealousy, as to derive pain from the moral perfections of others ; and they hate in proportion as they despair of imitating.

When, however, our intercourse with individuals is protracted through a considerable portion of time, it is rather by the general tenor of their

conduct, than by a single overt act, that we are extensively affected. In order to arrive at a pre-conception of this, we are compelled to investigate the propensities of those persons, with whom we come in social contact, and to scrutinize the motives which habitually influence them, that we may find grounds of conjecture for the future. When therefore it is discovered that, by some singular combination of circumstances, an injurious act has arisen from motives, which, in the long run, are likely to render the individual useful or pleasurable to society, the injurious quality of his action is looked upon as an accident. It is not therefore the *action* which is weighed by the motive, but the *man*. Accordingly, where a man is found habitually blundering into offensive acts, by the repeated miscalculation of good and social impulses, he is hated and avoided *as if his intentions were evil*; and if he moves pity, instead of indignation, it is because anger is, in such cases, largely mingled with contempt.

There is, however, something still more in this. The social and imitative tendencies are both interested in discovering the prevailing propensities of those with whom we are associated. There is an instinctive attraction between men who act and feel together. We are irresistibly drawn towards certain characters and repelled by others, independently of all selfish motives. Gratitude, also, which is as much a physical affection as a moral sentiment, is more immediately connected with motives than actions. Hence there exists a strong tendency, independently of personal interests, to

inquire into the interior machinery of men's minds ; and to this, we are still more prompted by the impulse to imitate whatever we see done around us, even to the very modes of thought and judgment of the people with whom we live. Through all these causes we are necessarily impelled to scrutinize motives, and to give them an importance, superior to that of the actions by which we are more immediately affected.

If the motives which sway the human heart were subject to a rigid scrutiny, they would afford the happiest basis for the administration of justice : for its object not being vengeance, but the prevention of crime, there would be a great advantage in applying punishments analogous to the causes of wrong, rather than to the act itself. There is, however, this objection, that there are many acts qualified criminal by conventional policy, which may spring from motives calculated to produce general good. In an universal dearth of employment, smuggling may be practised to maintain a starving family : stealing likewise may sometimes be merely a mode of industry, adopted in the utter impossibility of exerting it in more justifiable directions. But the punishment of a criminal is a much easier matter, than the reformation of a society ; and men will persist to the end, in the multiplication of severe penal laws, rather than inconvenience themselves by troublesome reforms.

THAT the feelings are not originally associated with moral notions is proved by this consideration, that the sentiments of hatred and approbation are

much anterior to the idea of morality. Connected with pleasure and pain, they must have been called into play with the first existence of man; whereas it would have required many generations to have passed away before the idea of good and evil could have been conceived in abstraction, and separate from the sensations of pleasure and pain in which they originated; or before a clear perception could have been obtained that all pains are not evil, and all pleasures not good.

It is a common error committed by parents and tutors to preach and to reason concerning the affections, prescribing them as obligations: whereas nobody is, or can be, argued into a feeling. It either arises naturally from the play of the organization, or not at all. Love and hatred are not taught. They may be encouraged where they exist, by conduct calculated to stimulate the passion; or they may be repressed by an opposite treatment: but they cannot be infused. Hence it is not the moral quality of an action that moves the affections, but the affections which determine our judgments concerning its moral nature. Although many individuals acquire their judgments *ex traduce*, and through dictionaries, rather than through the heart, this does not alter the case with respect to mankind in general.

THE connection of the ideas of good and evil with those of right and wrong, is even a still more remote and tedious process. Had the human species been susceptible of an isolated and independent existence, the notions of good and evil

would most probably have remained undeviatingly affixed to the causes capable of exciting pleasure and pain. An incompatibility of interests would indeed have been felt, whenever two men came within the sphere of each other's action; but the notion of abstaining from an indulgence, in order to benefit or gratify another, would never have suggested itself. For as sympathy could not exist between individuals organized for independence, no one would consent to remain, where his conduct would be subject to control. It is necessity alone which submits man to the influence of his species, and renders him docile to the yoke of authority.

In a state of independence, receiving nothing and demanding nothing from his species, he would have remained absolved from all ties; and being thus delivered up to his organization, his conduct would have been strictly governed by his temperament: he would have followed irresistibly the impulses he received from nature, and could therefore know no rule of conduct, beyond the suggestions of his own will.

A single glance at the structure and natural history of the species proves that mankind never did, and never could live in this independence of each other.* The long epoch of infancy that precedes the development of their physical powers, the diffi-

* “Πολιτικὸν ὁ ἀνθρώπος ζῶν.”—*Arist. Politic. I. 2.*

“Io non sono così strano per supporre uno stato di natura anteriore alla società civile, simile à quella dei selvaggi, come alcuni misantropi sofisti lo pretendono; ne così ignorante della

culty of procuring food, and of resisting the more powerful animals in a state of solitary existence, the innate impulse to be moved by the affections of others, and the capability of reading their countenance, and of communicating to them ideas, are facts of which the consequences can neither be denied nor resisted. In whatever point of view human beings be considered, whether their mere animal existence be regarded, or account be taken of their high intellectual powers, the single individual is manifestly imperfect ; nor is the concurrence of the two sexes more necessary to the continuance of the species, than the concurrence of two minds

natura della mia specie e de' caratteri che la distinguono, per credere che l'uomo sia nato per errare ne' boschi, o che lo stato della società sia uno stato di violenza per lui."

Filangieri, vol. 1, p. 46.

"But is not, to be born and to be reared, to be social? Man requires years to attain maturity, which alone would be a sufficient reason for his being more sociable than any other animal: for he, of all who breathe, requires the longest education preparatory to his independence of his parents. Is it not then most repugnant to truth, to say that society arose from war, when love was the cause of man's being, and mutual affection the means by which he attained manhood? Is it not vain to say that dread of enemies, or conscious weakness, drove vagrant men into society, and formed them into leagues offensive or defensive; when to suppose the birth and nature of children, and the common course of life for a few generations, establishes by nature's means society and government? And is it not trifling to talk of a social compact? Indeed it seems eminently absurd; for it presumes that men, for no reason, contradicted their sentiments and habits, and straggled from each other, to meet and re-establish by compact a society, which the strongest and tenderest ties had already confirmed."—*Ensor*.

to the development of any ideas, beyond those connected with the gratification of the first wants of nature. The miserable and dispersed life of savages wandering in deserts (so much and so falsely extolled by philosophers, through an error very natural to sensitive minds, when plunged in the corruptions of a debased and vicious civilization), should more justly be considered as the desolation and degradation of the species,—as a real degeneracy of the animal,—than as an image of its unsophisticated and simple infancy.*

With the existence of society, however, commence the concurrence of interests and the opposition of volitions; and with these, consequently, the subordination of conduct to rules, other than the dictates of the senses and the passions.

The laws of organic action, which operate in the arrangement of a society, afford a striking analogy with those that regulate the combined movement of distinct masses of brute matter.

If two bodies, moving freely in space, come

* *Filangieri, loco citato* : “ L’homme en général a toujours été ce qu’il est. Cela ne veut pas dire qu’il ait toujours eu de belles villes, du canon de vingt-quatre livres de balles, des opéra comiques et des couvens de religieuses. Mais il a toujours eu le même instinct que le porte à s’aimer dans soi-même, dans la compagne de son plaisir, dans ses enfans, dans ses petits fils, dans les œuvres de ses mains. Voilà ce que jamais ne change d’un bout de l’univers à l’autre. Le fondement de société existant toujours, il y a donc toujours eu quelque société. Nous n’étions donc point faits pour vivre à la manière des ours.”
— *Voltaire, Essai sur les Mœurs, Disc. Prél.*

within the sphere of each other's attractions, a new movement is produced in the combined ratio of their respective masses and primitive impetus. If the moving force of the one body greatly exceed that of the other, the strongest will give to the weakest its own direction; but if a certain proportion exist between the respective momenta, each body, receiving an impetus from the other, is somewhat turned aside from its primitive direction, and moves in a new course, partly made up of its original impetus, and partly acquired from that of the other body. In like manner, when two human beings approximate in social union, if the physical and moral forces of the one greatly exceed those of the other, the stronger impresses on the weaker the movements which result from his own impulses; but if their forces are nearly equal, each will contribute in proportion to his powers to the formation of a common volition, by which both will be regulated.

In every congregation, whether it be of a family or an empire, there must necessarily exist some common direction, or general will, to confer upon it its corporate character. An aggregate of individuals, each of whom should pursue his own particular caprices, must inevitably fall asunder, as wanting that unity of object, which contributes to the essence of society.*

* "Descartes a dit, 'je pense, donc je suis;' et sur ce premier fait reconnu, il a cherché à élever tout son système métaphysique. De même, en politique on peut dire 'nous sentons en commun, donc nous existons.' Car toute nation

The hand of Nature has placed the principle of this order in the bosom of families, by subjecting the child through the long period of its infancy to the physical superiority of the parent. Submission is the first lesson of life ; and thus habits of action are formed, which, not being derived from the native propensities of the individual, but from the general organization of society, are more closely connected with the necessities of the entire species.

A just contemplation of this single fact ought to have turned philosophers from that whimsical position, of the original equality of man. That equality is a physical impossibility ; since not only do men differ amongst each other generally, but age and sex occasion most important variations in physical force, mental acuteness, and manual dexterity. Where forces are thus unequal, equality of power cannot subsist. But equality of power (it will be shewn hereafter) is essential to equality of right. To deduce, however, from this law the “ right divine to govern wrong,” is a base sophistry, a mere argument, from use, to abuse. For though the origin of all practical right be, indeed, power, yet opinion is the strongest of all forces, and reason alone affords a

qui reconnoît en elle ces sentimens sympathiques peut regarder l'avenir avec confiance ; elle n'est pas morte, elle n'a point brisé le lien de son association, et ses citoyens ne sont pas incapables de faire des grandes choses, en sacrifiant leur intérêt personnel à celui de leur patrie. Beaucoup de nations entièrement dégénérées ne connoissoient plus ce sentiment. Beaucoup d'empires formés par une association maladroite de provinces, sans rapport les unes avec les autres, ne l'ont jamais éprouvé”

Bibliothèque Universelle, Art. sur “ Os Lusitados.”

safe and sufficient means of regulating between authority and submission. Our inquiries, therefore, should be directed less to the genealogy of our rights, than to their fitness. Provided what is at the present moment claimed, either on one or the other side, be, in effect, useful to all classes and oppressive to none, it is little matter what relation it may have to the practices of the ancient Hebrews, or to those of that universal monarch, Adam. In the earliest stages of society, brute force alone decides concerning liberty; and there exist only two classes among men—the conquerors and the conquered;* but it is the boast of civilization to appeal from the sword to public opinion, and to settle internal disputes by the moral force of justice. Before such a tribunal it is of little avail to vaunt the antiquity of an abuse, “as if a vice of long continuance were not error in its old age.†” It is the reason, and not the rule, which will decide on the pretensions of the disputants.‡

* The Lacedemonians and Helotes,—the Romans and their slaves (and the plebeians ranked little above the slaves, when tricked out of their rights),—the Franks and Gauls,—the Saxons and Britons,—the Normans and Saxons. Conquerors never amalgamate upon equal terms with the conquered, except when the latter are too powerful to be disarmed and enslaved.

† Ensor on Government.

‡ Such is the natural timidity of man, that precedent usurps the place of all other arguments. To prove that a practice prevailed in the woods of Germany, amongst our Saxon ancestors, or amidst the barbarism of feudal anarchy, will make more proselytes, than to demonstrate its expediency, or show its harmony with modern civilization and full-grown science.

Whatever may be the state of men's opinions, the *fact* is indisputable, that parents can and must exercise a despotic control over their infants ; and that this control establishes a long train of habits and associations, varying in every state of society, and in every rank of life ; which operate upon the individual, long before he is capable of executing the dictates of his own volitions. With the first dawns of intellect, man is thus made acquainted with two possibilities of action, and becomes familiarized with two sets of attributes, contradistinguishable from each other. The pleasurable and disagreeable (good and evil), and the right and wrong : the former the natural dictates of his own will ; the latter proceeding from that of others.

Our own language has preserved this fact free from all possibility of mistake. Right being etymologically that which is *ordered* ; and wrong, that which is *wrung*, or *turned aside from the prescribed line of conduct* ; as Horne Tooke has pointed out to our notice.* To these words there

* I do not say "discovered," because it needed but a moment's attention to these words to perceive almost intuitively their origin and meaning. There is no room here for the ingenuity of the etymologist ; the words remaining in their native condition, unchanged by time either in form or application. Bigots and knaves have joined instinctively in decrying that wonderful effort of analysis, the "diversions of Purley," which by throwing too much light on the locus pocus metaphysics of church and state quacks, threatens ultimately to injure their trade. Locke analyzed the thoughts of man ; Tooke their words, the instruments of thought ; and the modern physiologists, in endeavouring to trace the laws which govern the organic structures in general, have touched upon the mechanism of thinking : they have thus, by three different routes,

cannot properly be attached any idea of good or evil, pleasure or pain. Man, however, is by no means so blind or perverse, but that his orders, either as statesman or father of a family, have a general tendency to promote the welfare of the species. But even if he were much more selfish and wicked than he is found to be, the love and veneration which children must ever feel for their parents, would induce them to assent to the general propriety of their commands; and thus insensibly to associate with the idea of right, notions of fitness; and to that of wrong, ideas of danger and perversity. Men are thus led unconsciously and progressively to the conviction, that these terms refer to some abstract property common to all the combinations to which they are respectively applicable; and from this almost inevitable error sprung the refined and elaborate inquiries of the Greeks after the *summum bonum*.

By the natural tendency of parents to promote the welfare of their children, and of men in small communities to legislate equally and wisely for themselves, the idea of *must* would rapidly become amalgamated with that of *ought*; and the volitions which were originally impressed upon the infant at the expense of his own, would, partly by conviction, and partly by habit, be naturalized, as it were, in his disposition, and operate as constant causes in determining his conduct.

In the simplest aggregations of society which

arrived at the same point: which affords perhaps, the strongest probability in favour of their doctrines of which any position, not mathematically demonstrable, is susceptible.

experience has yet exhibited to the contemplation of the philosopher, the individuals, therefore, have already undergone an extensive modification, and differ widely from beings in that state of nature which has been made the hypothetical basis of so many reasonings. That state, it must now be evident, never did exist, nor ever could, unless men sprung from the earth perfect and independent, without parents, and without sexual feelings. The notions peculiar to the infancy of the wildest savages, cannot, therefore, be regarded as the spontaneous results of their own organization, but as refinements obtained by the labour and observation of the whole society.

The foregoing propositions appear so self-evident, that it would seem scarce necessary to dwell longer upon the subject: yet notions in contradiction to them are too obstinately prevalent in men's minds, to permit the hope of their being received upon their first presentation. Admitting, however, the theory of a moral sense, or distinct faculty and organ in the human frame for taking cognizance of moral relations, the pre-existence of the facts to be observed is still necessary, unless we go back to the falsehood of innate ideas. If, however, this pre-existence be allowed, there is nothing in moral relations more than in any others, requiring the interference of a special faculty. The craniologists, indeed, might acknowledge the existence of the moral sense, with the sense of beauty, the sense of colours, harmonic proportions of sounds, &c.; and upon the same basis of reasoning they might imagine a distinct faculty

and organ for the reception of each distinct idea. But whether their doctrine be true or false in its relation to anatomical fact, is indifferent to the metaphysical question. Perception is the same act, whether it be performed in a simple or complicated organ,—in a part of the brain or in the whole; and whether it be a perception of an external object, a modality, or any other relation, it must, in our conception, be precisely the same in all cases;—*i. e.* the affection of a living sentient structure originating in external stimulus.

In conformity with this truth, it may be remarked that dogs and cats, and indeed all animals that are subjugated to the control of man, have distinct notions of right and wrong; and, as far as their limited powers of expression go, exhibit tokens of shame, fear, and cunning, excited through these ideas.

THE notions of abstract right which, in the first instance, are developed through the benevolence of parents towards their children, and the consequent reasonableness of their injunctions, become, in the progress of life, still more clearly perceived through a very contrary operation. In the earliest condition of society imaginable (the aggregation of a few families connected by blood, as springing from a common stock), it might be conceived that the simplicity of social relations, and the habits of family affection would retain, for very many generations, a perfect equality in the administration of their common concerns; and that volitions, emanating from all the fathers of families collectively, would be reasonable and beneficial to the whole

community. Experience, however, justifies an opposite conclusion : for not only are savages found, by their ignorance of the properties of matter, and of the consequences of actions, to be incapable of always determining what would be actually best for themselves ; but, by the violence of their selfish impulses (the necessitated effect of their rendered miserable and destitute condition), they are both fraudulent and forceful in their dealings with others ; while their instinctive affections being imperfectly developed, their impulses consequently degenerate, and become tyrannical and brutish.

But, however well or ill the first seeds of sociability may have been sown, whether the union be imagined to have commenced in the simplicity of rural innocence, or the depravity of savage penury, we are fully warranted in concluding that the progress of events would tend to break the first association of ideas, which connects what is right or ordered with what is intrinsically good.

Society, in all its stages, becomes complicated faster than philosophy can follow, or observation note the nature and tendency of its increasing relations. Mankind are almost daily called upon to act on contingencies, that they have neither time nor ability to investigate ; and abundant opportunity is offered for benevolence to err, and for dupery and fraud to mislead the well-intentioned. Thus, after no very long interval, the most cunning, if not the most physically powerful, must obtain an undue supremacy in affairs, substituting their own caprices

for the common volitions of the society, and giving too pregnant an occasion for distinguishing between what *is ordered*, and what *ought to be ordered*. In proportion as society advances in its career towards semi-civilization, the disproportion between these standards of action becomes more evident, and the distinction between the law of the land and the natural law, more level to the common apprehension.

Thus three distinct series of conduct present themselves to the contemplation of the inquirer, that of individual volition, that of legal enactment, and that of abstract right; and a code of morality is gradually developed, distinct from legal obligation and penal sanction; and founded upon preconceptions of the end of society, and judgments respecting the means most likely to obtain its accomplishment.

That such has been the generation of our ideas seems evident both from their analysis, and from the facts which experience offers to our contemplation. In every case in which an obligation arises out of the first necessities of the organization, it is impossible for the rudest intellect to go wrong; but, in proportion, as duties depend more upon the contingencies of society, and less upon organization, the conscience becomes liable to be misdirected by prejudice, or deceived by false teachers. This fact abundantly proves that morality is an acquired science, and not the result of an especial sense. The conclusion is inevitable, and if no other advantage be derived from this

solution of a difficult problem, it has at least that of clearing the subject from considerable mysticism. The train of reasoning by which we arrive thus far in our inquiry, is precisely the reverse of that which has hitherto been followed in moral investigations. Commencing in the most abstract and general notions, philosophers have imagined that moral relations were eternal truths, independent of the beings for which they exist, and unconnected with the organizations out of which they spring,—for ever the same,—superior to time, and uncontrollable by circumstance.* Having thus *a priori* established a standard of ideal excellence, they have conceived man to be bound by some metaphysical tie to emulate this perfection, from which, however, he is turned aside by causes equally metaphysical and unintelligible. At the same time that they admit, that he never has, in any instance, arrived at this point, they persist in maintaining that it is within his reach; which, disguise the matter how they may, is a palpable contradiction.

In the pursuance of this retrograde process, while they have narrowed the sanctions of good conduct, and removed them to a greater distance

* “ Il y a deux philosophies, une qui précède l'expérience, qui remonte de l'idée absolue de devoir, suivant les vues pures de la raison, idée première qui doit livrer le type le plus abstrait de devoir, on ne refermant que des conceptions purement intellectuelles, qui sont présupposées à toute l'expérience : l'autre qui l'accompagne.”

From a French *exposé* of the doctrines of Kant : the reference has been lost.

from our hopes and fears, they have turned the attention of their disciples exclusively upon individual considerations, and caused them to lose sight of those general and influential causes, which act upon society in mass.

From these considerations it becomes necessary to enter a little more at large into the generation of moral ideas, and to examine more in detail the steps by which we arrive at those refined notions of morality, which distinguish man in his highest state of civilization.

FROM the moment of birth, the influence of the species upon the individual commences. The most permanent, the most extensively operative notions are instilled during infancy ; and even the very language which is received from the parent, is not indifferent to the future character, conduct, and capability of the offspring.

The operation of this cause is not trusted merely to that physical superiority which the parent possesses, and which enables him to force upon the child his own volitions. A very large part of it is derived through the natural affection, which subdues the infant's will ; and to that innate tendency of our nature to approve and to imitate whatever we see in the conduct of those we love.

Imitation is as much a natural instinct, and as powerful, as any (not immediately subservient to the preservation of life), by which we are guided. In children it is irresistibly strong ; and it is manifested in all their amusements. To be like papa, and to do like papa, is the business of a boy's

life; and it is through this overpowering impulse that we acquire the rudiments of speech, before even we are capable of attaching an import to the sounds, as signs of ideas.*

The influence, likewise, of parental authority is not only forced upon the child personally, but inculcated by example. Not only the children, but the wife, by her physical inferiority of strength, is submitted to this discipline. Of all governments the domestic is the most despotic; and it is for this reason, not inaptly, assumed as the type of absolute monarchy, by those interested in imposing that wretched form upon mankind. In proportion as man is ignorant and helpless, this superiority of the male sex is more remarkable†; and the obedience of the female more slavish and unreserved. The whole economy of the savage family, therefore, contributes to impress upon the child the necessity of submission; and thus gives him clear and distinct ideas of “the right” and “the pleasant.”

Along with the discipline of parental authority, there arises another restraint upon organic tenden-

* A profound and acute philosopher, Signior Delfico, of Naples, in a luminous essay written expressly on the subject, has traced the operation of this principle in some of the most important combinations of society; and he considers it as intimately connected with the social instinct. It is sufficient for the present purpose, to notice it as among the most effective means of modifying the individuality of children, and of engrafting upon them family and national character.

† When intellect comes into play, the superiority lies not unfrequently with the female.

cies, in the intercourse of children among each other. In large families it is easy to identify the operations of this cause, in the tacit acquiescence of the feeblest wills to the determinations of those of greater vehemence ; each individual taking precisely that place in society, which belongs to the relative force of his intellects.

In all friendships between individuals, in all associations, committees, corporations, clubs, &c. &c., it is uniformly found, that some one or more persons take the lead in the management of the common concern ; while the rest acquiesce, without a struggle, in what these propose. For the most part, force of character is instinctively perceived ; and at the very outset, the individual, on entering a new association, knows whether he is to lead or follow. Unfortunately, this property is neither connected with eminent virtue nor superior talent ; and we frequently find societies of individuals, led by the most worthless characters in the whole community.

The efficacy of this principle in modifying character is, however, best comprehended through its absence ; as in the case of froward children, spoiled by the indulgence of parents, whose affections enfeeble them so far, as to make them take the law from their offspring, instead of giving it. Nor is it less remarkable in those children of a larger growth, the unoccupied princes and aristocracy of countries, where the government centres in an individual, and excludes the wealth and rank of the nation from participating in its public affairs.

The privileged classes of a society so constituted, shut out from all contention of intellect or of passion, pass their insipid existence in the interior of their own families, or in small circles, where every wish is anticipated, and every caprice indulged. Strangers to contradiction, their conduct is too frequently wild, wilful, and absurd. They are usually less capable of either great, or of useful conceptions, and less equal to sustain a complicated or protracted train of thought, than the other classes of society. The gilded appendages of a throne, they contribute neither to its strength nor to its circumscription; and, alike useless to their country and to themselves, they expiate their oppressive privileges, by a life of painful indolence, or of dangerous excess.

It is more particularly in this point of reciprocal control, that the public education of England possesses so decided a superiority over other schemes of discipline. It establishes a genuine and efficacious system of mutual instruction in morals, not founded upon dry precepts, and wearisome exhortations, but on an experimental demonstration of the action of mind on mind, and a practical acquaintance with the means of success in social intercourse. In these heterogeneous societies of youths of all ages and ranks, while each individual takes the place which his personal qualities assign him, the whole are incessantly occupied in supplying deficiencies, in correcting defects, or at least in endeavouring to disguise those passions, which, not having perhaps the power to control,

they feel to be no less injurious to themselves, than hateful to the community.* The principle of subordination that nature has thus planted in the human machine, operating in the other animal tribes which live in society, places the strongest and boldest animals in the van of the herd; and confers nature's true right divine to inspire confidence and to command.

In proportion as mankind advance in civilization, the dominion of the species over the individual loses its character of physical force, and is excited rather through opinion; which operates as a motive alternately upon all the tendencies. As soon as the youth is emancipated from the jurisdiction of his parents, he is launched into a world, whose force is felt in the very instant of contact. If compliance with

* The immorality charged against public schools is by no means essential to the system; being imported from the homes of children, who copy at school the vices they have seen practised during their vacations. But that which is essential to our great schools is a reasonable liberty, which enables the moral faculties to develop themselves, and gives opportunity for bold, manly, and independent notions to take root. An omnipresence of masters, as far as it can be realized, destroys on the contrary, the free agency of the children, and inspires petty and dirty passions, (*espionage*, cowardice, and abjection,) the bane of all morality. If it preserve for the moment a practical purity respecting vicious indulgences, it is at the expense of an wholesome self control, and acquaintance with the powers of resistance, which should protect the pupil on his entrance upon the world. In point of fact, it never occurred to the author to notice, or to have heard college tutors complain, that the pupils of Eton, Westminster, &c. were more outrageous and irregular in their conduct, than those educated in less liberal institutions; while an high sense of honour, generosity, and public spirit, belong to them in an eminent degree.

its dictates be not immediately necessary for the purpose of procuring subsistence, the desire to please is developed by a thousand other causes. The impulse to obtain distinctions, honours, or favours, to establish for himself a determined place in society, urges the youthful adventurer to conceal or repress those propensities, which are not in harmony with the feelings and prejudices of society. Vices, virtues, external carriage, opinions, passions, are thus borrowed at the dictates of fashion; and happy is he who, in obeying this tendency to imitate and to receive impressions, does not forfeit all individuality of character, and sacrifice principles and feelings, at the shrine of worldly corruption.

In proportion as society advances, individual peculiarities become more circumscribed, and an external varnish is more uniformly spread over the great features of humanity. It is scarcely possible to be mistaken in ascertaining, on first view, the nation to which any European belongs, although a general sameness of moral physiognomy is rapidly wearing out even these great lines. The countryman in like manner is easily distinguished from the citizen, and the student from the soldier; because each man is marked with the peculiar impress of the class of which he is a member: and he can scarce less easily change the colour of his skin, or the susceptibility of his nerves, than throw off those home-bred peculiarities, which an habitual contact with the society, by which he has been surrounded, has burnt into his character.

These observations, which as applicable to mere externals are perfectly trite, are not less appropriate to the more interior movements of the mind. Our habits of thought, expression, and of action, are for the most part tinged with decided nationality; and the fashion of the intellect, like the cut of the coat, must follow an acknowledged archetype, to entitle its possessor to the approbation of society. Even the language we speak exerts its influence upon our intellect, and powerfully contributes to modify our being. Language is an instrument without which we are incapable of forming any ideas, of communicating, or of receiving information. The forms and reflections it adopts, the facilities or obstacles it affords to the analysis of complex notions, the abundance or poverty of its vocabulary have all their effect in determining the literature and the science of nations; and, consequently, in giving character to the individuals who compose them.

If, in imagination, a man be stripped of every modification he has received from society, either by the motives which it has afforded to enlighten his volitions, or by the force put upon them through the volition of others, the intellectual remainder would be found very trifling indeed. But what is true of individuals, is equally so of societies, and of the species at large. Right and wrong, justice and property, religion and government, are all notions eliminated by the action of man on man, and could not by possibility have entered the imagination of a solitary animal.

But the complete development of moral notions, requires a greater complication of conflicting interests than is discoverable in the bosom of a single family. As soon, however, as a considerable number of families had coalesced within a limited space, the same process which takes place in each family must have been repeated in the general community.

In this condition, perhaps, the urgent pressure of physical necessities, and the greater equality of force (physical and moral) of the conflicting parties, might occasion a period of contention and violence, more or less protracted, before one family would obtain dominion over the rest, or the society work out for itself an equal government. It is not improbable that small tribes would, again and again, break up and separate, by an effort to avoid the danger of want, or by the weaker families attempting to escape from the influence of the strong; but the impulse of the sexes, the pleasure of social intercourse, the ties of blood, and the necessity for co-operation, would reknit the union, and prevent the utter dispersion of the infant state; till, sooner or later, general experience, or the influence of some happy genius, would give birth to a system of polity, which all would find their interest in respecting, and all would be anxious to defend.

AN essential preliminary to this state of things, it may be imagined, would be the formation of the idea of property. It is, however, necessary, that property should have existed in fact, and have been defended both by individual exertions and com-

bined arrangements, for the mere pleasure and profit it affords, for a long time before a moral idea could be attached, or the notion of a right eliminated on the subject. Society, therefore, gives birth to property, and property generates the idea of its several relations; so that this notion is an effect and not a cause of the social union. Savages we know hold very loosely to the idea of property, and steal before the face of the proprietor, without shame or remorse; and the Lacedemonians (whose policy in many respects was so artificial, and who preserved their political constitution pure and unchanged for a longer period, than liberty* was ever maintained, either before or since), had some very heterodox notions concerning the exercise of such a right.

The first property, not altogether perishable, which the members of an infant state could possess, would, for the most part, be personal—clothes, ornaments, and arms. The danger of stealing or forcibly taking these, would prevent the attempt, as long as the means of obtaining similar objects were not too difficult. For, the enjoyment of them being a great pleasure, and the loss a great privation, the mere physical sensation of being deprived would impel the loser to seek recovery, and to revenge the injury. He would kill the thief by force, by fraud, or by the co-operation of the other

* If that state can be called liberty, which is founded upon slavery. The warrior cast, however, was free in Sparta, though at the expense of the labouring helotes.

members of his family. In the same manner, children, who covet whatever they see, are disposed to resentment when the toy is taken from them to be returned to its right owner; not from a false notion of right, but simply because they are deprived of an enjoyment. It is only after many combats, that they acquire, in their little community, a distinct idea of *meum* and *tuum*.

The notion of a right in property, which, under the protection of civilized government, mingles itself with our first ideas, and seems almost instinctive, gradually grows out of the existence of its object. The habitual enjoyment of desirable possessions; the fraudulent and forcible abduction of them; the resistance to such attempts; the violence, the disturbance of the community; the prolongation of feuds; and the danger of the whole tribe, are all necessary preliminaries to a positive injunction of the strongest upon the subject; or a general coalition of many families to guarantee to each other their respective goods. All this, however, might, and probably must take place, as a mere matter of desirable arrangement, long before the idea of crime could be attached to dishonesty. And it is likely that even this convention would be very difficult to maintain, so long as property was confined to mere personal possessions.*

* De Tracy justly observes, that to have wants and faculties is to possess something; and that our faculties, more especially, are property, in the full force of the term. They are doubtless the only real and substantive property, all others depending upon the conventions of society. The notions of justice and

With the first dawnings, however, of pastoral or of agricultural habits, property being extended to possessions lying at a distance from the personal protection of the owner, it would require the whole influence of many families to preserve them. Interest would then compel the several pastors or husbandmen mutually to guarantee each other, and to act with great pertinacity and severity against the appropriators of their labours.

The first engagements of this sort would doubtless be merely those of mutual alliance ; and their object would be the infliction of a summary vengeance on common enemies. By degrees, however, habit and precedent would establish determinate punishments for determinate offences ; and convenience would remit the task of adjudging and inflicting them to public authorities.

Thus gradually would the establishment of a settled order (as matter of fact), combining with an experience of utility resulting from it, afford a standard for judging of the character of actions ; and some progress would be made towards the formation of an abstract conception of right. But before any great precision of ideas could be obtained, many complications of social arrangement must have taken place, and many arts have been invented. In the end, however, the simple observation of the

of right, however, could only be formed from the contemplation of the proceeds of labour, and those proceeds placed in a considerable degree of insecurity. The idea of possessing one's-self of the faculties of another, or of enslaving our fellow man, is wholly an affair of physical force, and could give birth to no moral developments.

advantage of obedience, a respect for the constituted authorities, and an experience of the danger of personal reprisals, of legal punishment, and social distrust, would beget, first, habits of honesty, and, finally, a moral sense of the obligation, and a sentiment of shame and abhorrence from the turpitude of theft.

Agreeably with this view, we discover two facts, either of them powerful evidences of the truth of the analysis. First, the dissolution of all moral notions during the rage of war; and, secondly, the universal break up of moral ties, in societies where the lowest classes have absolutely no property of their own. Even in the politest and most refined states, the right of property is very loosely secured during war; and booty is as natural to a soldier, who at home would scorn a theft, as to the most dissolute and abandoned member of the community. On the other hand, we have no test by which to try the honesty of a nation, more certain than the manner in which property is divided.

Whenever the lower classes are poor and unaccommodated, beaten down by oppressive governments, or unjust landlords, they are uniformly found to pay less respect to moral obligation, than when they have a little stock of their own to defend, and thus are enabled to *feel* the nature of the obligation.

The attempts which have been made to dive, by abstract inquiries, into the nature of this right, are singularly unhappy; as the logical combats to ascertain at what moment the spontaneous productions of nature become property, most clearly evince.

If we suppose a single apple, growing wild, and that two savages at the same moment put forth their hand to pluck it, according to abstract motions, their right to the object would be equal; but no instinctive consciousness of this abstract verity would mitigate the violence of their contention for the possession. The whole matter resolves itself into a question of tried expediency, and depends upon the convenience which mankind at large experience in the establishment of the relation.

If there existed in human nature any innate principle capable of developing, *à priori*, abstract principles of morality, independently of the phenomena of actual civilization, the notions of mankind would be uniform; but no moral axioms are universal, save a few only which are so immediately connected with the discharge of organic function, that they cannot be overlooked or mistaken. In point of fact, whatever is established in each country or community, is the standard of its national morality; and even the most detestable of human institutions, domestic slavery, has been regarded among the people where it prevailed, not only as legally, but as abstractedly right.*

In the same, manner, wherever usurpation has enabled an individual, or class of individuals, to substitute their own volitions for those of the society at large, the partial, absurd, and vicious laws they have enacted have passed current for

* Aristotle declares that the barbarians were, in the order of nature predestined to slavery; exactly as the moderns have derived their right over the negroes from the difference of colour.

right, until a new adjustment of the forces of the community have given birth to a new legislation. When the law had assigned different punishments for the murder of a noble, a priest, or a citizen, the moral estimate of the offence has for ages followed its legal appreciation; and where the murder of a slave is attended with legal impunity, there personal humanity is at its lowest ebb, and conscience in the profoundest slumber.

This analysis and genealogy of the notion of property will apply to many other moral conceptions. A specific act is found injurious to the community, the community restricts the individual, and the rule develops the notion of moral obligation.

When the public force becomes concentrated in a few hands, the caprices of the few become the measures of right, and the standards of opinion. The development of a public volition is, therefore, a *sine quâ non* for the development of sound morality; and in proportion as usurpation substitutes private interests for the public will, in that proportion the people will be depraved, and their moral notions circumscribed and inadequate: whenever an individual, or class, are thus driven completely out of the pale of society, with nothing to hope from the species, all restraint on their organic tendencies will be removed; and they will freely abandon themselves to the impulses of their desperate and destitute condition.*

* This state of things is beautifully illustrated by the author of Rob Roy, in his character of that hero, in which the noblest impulses of our nature are turned aside from their natural scope, by a false and terrible position in society.

We are now enabled to perceive that the leading outlines, the more general and immediate relations of society, are the work of the organization, and arise necessarily from the play of the machinery; that the formation of families and tribes is as closely connected with the peculiar combination of organs, and specific laws of human vitality, as the movement of the muscles, or the secretion of the glands; and that the relations of parent and child, husband and wife, the connection of labour and enjoyment, are determined by the spontaneous action of the machine itself.

The subsistence of these relations, as matters of fact, must precede the perception of their fitness. Such a perception, therefore, requires the possession of no other faculty than that which enables us to perceive the relations of natural phenomena; and there is in moral science nothing more than in the other branches of philosophy; nothing mysterious, nothing to take on faith. In proportion as the social relations are closely connected with organic function, they are universally acknowledged and respected among all nations. The grossest tyrant, having a certain interest in the prosperity and multiplication of his subjects, must, to a certain extent, respect the relations by which that prosperity is effected. Or, if in the wantonness and caprice of his heart, he enacts laws which too grossly violate them, the instinct of self-preservation arms the community against him, and he perishes, the victim of his own absurdity.

But in proportion as other social relations arise out of artificial combinations, in which the or-

ganization is but remotely and imperfectly interested, they are varied in their modes according to the variation of causes out of which they arise. Game and excise laws, standing armies, religious establishments, laws concerning the press (though of vital consequence to the liberty and happiness of social man), are more remotely concerned in his possibility of subsistence, and the gratification of his animal instincts. Upon these points, notions are altogether conventional, and the moral feelings are governed by the education, rank, and interests of the parties. Those who are personally aggrieved by false arrangements in these particulars, have an instinctive feeling of injury, and, where it is possible, exert an instinctive reaction to change the law ; but it is only from the vantage ground of philosophy that the intimate nature and tendency of such relations can be duly appreciated, and the inherent evil of bad institutions demonstrated.

The moral notions of uneducated persons, in all states of society, are bounded very closely by their wants and weaknesses. The axioms of their philosophy are felt, rather than understood ; and they taste the advantage, rather than comprehend the *rationale* of their simple codes.

To extend inquiry beyond this point, requires an accumulation of wealth sufficient to exempt a portion of the members of society from the necessity for labour ; with this condition comes the invention of writing, precision in thought, and in language ; and the destinies of mankind are further removed from physical combinations, and

made more closely dependent on the distribution of knowledge. In this state of things, the moral development of each generation depends upon the modifications it receives from that which preceded it; modifications which must influence the results of its own experience.

The influence of the species upon the individual is thus extended through the whole stock of ideas, the common property of the society. In proportion as the great work of civilization advances, new lights are thrown upon the properties of externals, upon the structure and functions of the human frame, and upon the consequences of social combinations. These are the fruitful elements of moral changes. It is not, therefore, alone in the direct operation of man upon man, but in the indirect influence of society, in the changes it effects on the surface of the earth, that the morality of nations must be sought. Every new gratification becomes the parent of a new want, and every new want increases the inequality which fortune places between man and man; poverty grows up by the side of riches, ignorance multiplies with information, crimes increase as the faculties are energized, and the mass of mankind (condemned to incessant and oppressive exertion, in order that a few may attain to ease and affluence,) are further and further removed from the possibility of well regulated and moral action.

These are the circumstances over which the individual has no control; but which determine with irresistible force his moral condition. They form

indeed, but a small part of theories, or of systematic treatises ; but, without they are taken into the account, the ultimate improvement of society is hopeless, and philosophical investigation absolutely nugatory.

The problem they offer is one of no easy solution. Hitherto the march of civilization, though it has unquestionably increased the force and the enjoyment of society at large, has not been productive of a degree of individual happiness commensurate with the effort. There is something decidedly wrong in our institutions respecting the distribution of wealth, which is hostile to liberty, and to the dissemination of truth ; and many inveterate prejudices subsist, not less inimical to moral improvement. These are the legitimate subjects of philosophical investigation ; and their consideration will ultimately supersede the ascetic and monkish systems of morality, to which the science of human action is at present confined.

With the establishment of clear distinctions, between the natural order of volitions, the prescribed order, and the reasonable order (of the three modes of *will*, *must* and *ought*,) data sufficient were afforded to those who had leisure for contemplation, not only to form theoretic systems of morals, upon the distinct bases of utility, of religion, of honor, and of national policy, but upon others purely hypothetic (such as the community of goods, the indefinite perfectibility of the species), which though theoretically reasonable, are in practice purely Utopian, and perfectly inapplicable to

human conduct. But a system of morals founded upon considerations of the structure and functions of man, could only arise out of a considerable acquaintance with physiology, and an extended inquiry into the instinctive principles of action, and into the reactions they occasion in social intercourse. A theoretic acquaintance with this order is manifestly unattainable. But though the earliest inquiries could not detect the true basis of such a code, its existence must have been felt in the harmonies perceptible on the slightest glance. Accordingly the writings of moral authors are full of the loveliness of its results. But the causes upon which that fitness and beauty depended being overlooked, or misunderstood, they were naturally enough referred to something inherent in the laws themselves, abstractedly of all foreign considerations. The manner in which the human intellect developed itself favoured this notion. The *το πρεπον* and the *το καλον* were the necessitated creatures of a false logic, and could never have been mistaken for substantive existences, had a better system prevailed.

The philosophy of the realists, however, embodying abstractions, and endowing its fictitious existences with qualities and virtues, favoured, or rather compelled the formation of an *a priori* system of morals: and so strongly does this cause influence our notions, even at the present day, that the adoption of a different course of reasoning is not without danger of misapprehension and anathema. But the order of nature cannot be

changed at the will of the timid, or of the corrupt; and a time must arrive, when in morals, as in physics, fact will be preferred to fancy, and induction supersede the reveries and the guesses of dreaming metaphysicians.

CHAP. IV.

OF THE PHYSICAL CAUSES WHICH HAVE CONTRIBUTED TO MORAL DEVELOPMENT.

IN the preceding pages it has been attempted to prove that the moral development of man is not an immediate consequence of his individual powers, but a result of that peculiarity of his organization, which subjects him to the influence of his species.

In establishing this position, it has been shewn that the terms "right" and "wrong" must, in their original use, have been divested of all moral import; being expressive only of a relation to the will of an authority, which the agent felt himself bound to obey.

That the moral import or notion of fitness or of impropriety, was gradually superinduced by an experience of pleasure or pain, and a conviction that utility or injury were in reality attached to the two lines of conduct, to which these terms refer.

That, in the increasing complication of social interests, a further experience was acquired, point-

ing out a frequent disagreement between what *is actually* commanded, and that which observation teaches us, *should be* commanded : and, that a distinction was thus made between positive and abstract right ; and a false notion engendered that the term represents a something, inherent in all subjects, to which it is properly applied ;* and lastly, that these notions, being derived from a contemplation of facts, have nothing peculiarly mysterious in their nature, requiring the hypothetical existence of a peculiar' organ or faculty to explain their generation.

In arriving at these conclusions, it is impossible to avoid perceiving that the formation and extension of moral notions is hastened or restrained by the operation of physical causes, capable of soliciting or of checking the march of society, and of determining a greater or less degree of intimacy in the social union, and consequently a greater or less degree of the intensity, with which the species acts upon and modifies the individual.† The influence of these causes upon moral and political combinations,

* This is one of the many cases in which complex terms, by the gradual dropping of some of their component ideas, or the superinduction of new elements, entirely change their symbolic value. The slowness of the process, and the loss or neglect of the etymological history of the words employed, has no doubt contributed mainly to the obscurity which has so long enveloped the ideas of right and wrong, and vitiated the moral systems of the deepest philosophers.

† Lo spirito de' secoli si cambia col cambiamento delle circostanze che concorrono à formarlo ; e le vicende che il tempo cagiona nel fisico, le cagiona ancora nel morale, e nel politico de' popoli.—*Filangieri*, vol. 1. p. 154

deduced from a philosophical review of the history of the world, would form a subject for many volumes, and would afford a theme worthy the grasp of the most comprehensive mind. In the following pages, a few only of the most leading facts will be presented to the reader ; for the purpose of still further illustrating the real genealogy of moral conceptions, and of exhibiting to legislators and moralists a view of the most powerful levers by which mankind, *en masse*, have hitherto been moved ; and by which, under happier combinations, they might still be carried forward in the career of civilization, to a condition of more stable prosperity, and more diffusive happiness.

The earliest epochs of social existence are lost in the night of ages ; and, excepting in the specimens exhibited in the natives of the new world, we know nothing of the first steps which mankind have made in the development of their capabilities. But wherever a single family has existed (and this is demonstrably the simplest possible state of human existence), however feeble and ignorant the individuals may be imagined, they must, in the course of a few generations, have accumulated a portion of knowledge and of property, sufficient to influence, very extensively, their moral condition.

The early history of Europe represents the moral and intellectual improvement of its savage tribes, as proceeding from the appearance of certain highly gifted individuals, whose superior powers and attainments have enabled them to lead the way to civilization, and, by a single effort, to

force the subjects of their influence to sudden and rapid ameliorations. These persons, however, have been almost uniformly described as deriving their advantages from foreign countries, already considerably advanced in civilization; and as merely importing their improvements from happier climes. The stream of light was poured into Greece from Egypt, while Egypt probably received its inspiration from India: and it is by no means impossible, that the philosophical and economical systems derived to us through this filiation, were themselves only the dispersed fragments of a civilization, as perfect, perhaps, as any with which we are now acquainted; and which was annihilated by some great social or physical calamity. But, be this as it may, society has, in every stage of its progress, been indebted to individuals who have sprung up within its bosom, whose happier organization, or position among their species, has enabled them to pass the intellectual boundaries of their age and country; now hurrying forward the civilization of the simpler tribes, the demi-gods and heroes of antiquity; and now extending the domain of science, the Galileos, the Newtons, the Harveys, the Howards, and the Bentham of politer ages.

The more simple the state of social union, the more decided is the superiority which an happy organization confers, and the more extensive are the results which follow from the activity and influence of superior genius. The ignorance and the imbecility of the species are at once the sources of those odious political inequalities which

disgrace the early history of man, and of those splendid reputations, unknown to more scientific ages, which raised the discoverer of an art, or the modeller of an institution, to the rank of the gods.

As far, however, as the operation of these benefactors of mankind can be traced in its influence upon morals, it has generally been found to be accompanied or preceded by a notable change in the external circumstances of the people; and the secret of their authority has rarely been unconnected with the establishment of some physical improvement. The discovery of the means of ignition must have produced an immense effect upon the destiny of the species; both directly, by banishing a mass of uneasy sensations, which had hitherto soured their disposition, and frozen their sympathies; and indirectly, through the arts to which it must have instantly given rise, and which must have necessitated a closer union of the scattered families. The mythological fable, which, in attributing this discovery to Prometheus, represents him as animating man by fire, snatched from Heaven, is scarcely an exaggeration of the truth.*

It is hardly possible, by any effort of abstraction, to arrive at an accurate conception of the

* Æschylus justly makes Prometheus boast of saving the race from utter destruction; since without the aid of fire man must have been subject to many more chances of injury, and life being more precarious, societies would have found immense difficulty in supporting their numbers undiminished.

Εξερυσάμην βροτὸν

Τοῦ, μὴ διαρραϊσθέντας εἰς Ἄδ' αὖ μολεῖν.

Προμηθεὺς Δεσμωτῆς, v. 235.

desolate condition of the species, when deprived of the aid of this agent. Its instrumentality in preparing food, by influencing the results of digestion must have contributed to modify the affections, to abate the morosity which uniformly accompanies a life of destitution and suffering; and, if the expression may be allowed, to domesticate the animal, by concentrating his operations upon the hut he inhabits. Without the aid of fire, it would have been impossible, in the warmer climates, for men to contend with the luxuriance of vegetation; and the predominance of forest trees would, with very few exceptions, have confined him to perpetuity in the lowest state of social aggregation. Without fire the metals could not have been turned to a beneficial account; and without these, the arts could not have been practised, which, while they improve our physical condition, are not less instrumental in originating the ideas of property, and of other social relations which are so highly influential in expanding the intellect.

THE first domesticators of herbivorous animals occasioned an extensive revolution in the destinies of the species. While the operations of society were confined to the chase and to war, the few objects in which man could feel an interest, as administering to his necessities, would be placed almost wholly within his own personal inspection. His bow and arrows would rarely leave his hand, and his snare, or his rude fishing line, would be easily concealed from the search of a marauding

neighbour. In this condition, as already has been noticed, the idea of property, as a moral relation, could not be eliminated in any great degree of precision. The notion of property, as a physical fact (*videlicet*, that my hand is my own, that my hut is not my neighbour's) must arise in every sentient being possessed of complicated organs and desires, and living in community with his species. The tendency, likewise, to defend the proceeds of our labour, is a necessary consequence of the sense of pleasure and pain, connected with enjoyment and privation. These ideas are manifested even in animals; a dog fights for his bone, and the female defends her young to the death. But the idea of abstaining from theft from a sense of propriety, has never been found operative among any tribes, in which the arts of civilization have not been carried far enough to create property, requiring for its existence the sanction of a social guarantee.

In this condition of society, the animal, urged by the impulses of desires rarely gratified, goaded by wants but imperfectly supplied, and irritated by uneasy sensations, which recur at every turn, is little disposed to value life in himself, or to respect it in others. He is harsh, violent, cruel and unrelenting. When the two only appetites of which his nature is susceptible are satisfied, he sinks into a sullen and profound repose, from which he is only roused by the recurrence of first wants, or the presence of actual danger. To his family he is brutal and despotic, to the stranger he is

suspicious and a traitor ; and to whatever presents the aspect of hostility, tigerish and implacable. In respect to the few objects which concern the resources of his existence, he betrays the same ingenuity and invention which are the inseparable characteristics of the species under all its aspects ; but beyond the immediate pale of his animal necessities, his imagination seldom strays. Thus, in every particular, the mere savage resembles in his instinctive propensities the carnivorous animals, whose manner of existence he has adopted ; the same external circumstances begetting a similarity of habits in animals whose organization renders them susceptible of very different degrees of intellectual attainment. This sufficiently proves that the mental faculties are mere potentialities ; originating nothing, deciding nothing, since they are alone called into play by the instrumentality of external impressions.

When the helpless and wretched condition of this early epoch of humanity is considered, it is difficult for the imagination to trace the steps which might lead to the establishment of pastoral habits ; and we are tempted to attribute the whole to the operation of chance. Doubtless, however, the man who first possessed himself of a domesticated herd was a genius of the highest order. It seems probable that the first attempts at subduing animals to the service of man were made upon dogs*

* This subject is surrounded by great difficulties. The qualities which render the dog valuable to man, exist not in any great intensity, except in those artificial varieties which

for the purpose of employing their faculties in aid of the chase : but the leading physical cause of the pastoral epoch must have been the existence of extensive plains, in which the ruminating animals dwelt in their native freedom. The spectacle afforded to the hunter of their habits of life, would suggest to some enterprizing and active spirit the project of confining them within artificial inclosures ; though, perhaps, the accidental discovery of a stray individual, of some young animal whose parent had been destroyed by the hunters, may have given the first impetus to the project.

With the establishment of herds, an immediate change must have taken place in the habits of man. The operation of inclosing, taming, and protecting an herd of cattle, would inevitably require the co-operation of many hands, and a continuity of labour, which would considerably increase the value of its objects. The division of labour would naturally give rise to an inequality in the division of profits ; and many agreements must be entered upon by the individuals for the regulation of duties, and for sharing the common property ; which, notwithstanding their obvious utility, would require protection from the sanction of a public authority. The violator of these agreements, if he escaped a violent

are esteemed the products of domestication. The employment of the means seems, therefore, anterior to the conception of the end. Does not this form an argument against our received opinions concerning the origin of these varieties ? Have we yet sufficiently examined the facts on which are grounded the distinctions of species and variety ?

death from the vengeance of the community, would necessarily be expelled from the association: and in proportion as the utility of the arrangement became practically more evident, a notion of disgrace*, as well as of danger, would gradually become associated with its violation. Although, therefore, the predatory and warlike propensities are strong in pastoral nations, and powerfully tend to vitiate the moral feelings, the right of property is very generally respected, within the circle of the separate associations.†

The domestication of cattle is necessarily attended with an abundance of food: a circumstance which is found in all animals to diminish their natural ferocity, and which, in man, operates

* A susceptibility to praise and disgrace is instinctive in all social animals; but it is not necessarily connected with moral qualities. It seems to form part of the instinct of imitation, or to be very closely connected with it. In profligate associations, *mauvaise honte* is connected with a deficiency in mischievous qualities: and this feeling makes the same man in turns a hero, a debauchee, a duellist and a saint.

† It is said, that there is honour among thieves, a proposition which is totally without foundation; the tie between the members of fraudulent associations being never stronger than the most urgent necessity of the moment requires. Such unions are founded in the coldest and most short-sighted egotism; not in ignorance, but in contempt of the real relations of society: and it is absurd to suppose that those who are false to the community at large, should be true to each other, beyond the point in which a common danger begets a common interest. Roguish associations are constantly harassed by the dread of treason; for cowardice or avarice seldom fails to raise up from among the individuals some one to deliver his comrades into the hands of justice.

most forcibly on the social affections. Its agency, in eliciting new wants and new modes of gratification, is still more decisive. To this epoch history has assigned the invention of astronomy, facilitated by the leisure of the pastoral life, and rendered necessary for guiding the wanderings of shepherds over the boundless plains they inhabit in pasturing their flocks, and in their still more extensive migrations when these pastures are exhausted. It is not without something like philosophical propriety that poets have chosen this point of civilization, as affording in the abundance of its physical means, and the simplicity of its arrangements, the samples of the purest morals and the tenderest affections. The simplicity of pastoral life however, must, from the very nature of things, be accompanied by a proportionate rudeness. The artificial wants of society, under this aspect, are too few to demand much effort of ingenuity for their supply, or to produce, by their reaction, profound reflection on moral combinations. The supply of food, though great in comparison with that obtained by hunting, is still insufficient to admit of a very dense population; and the elements of society must subsist in too great insulation to admit of their arranging themselves in very complicated aggregates. On the other hand, the fatigue and danger incident to frequent emigrations, and the warfare which they would occasion, would preserve some degree of that ferocity which distinguishes the hunting tribes. It is the mixture of these causes that originates the romantic turn of mind, the opposi-

tion of great vices and great virtues, the hospitality, the generosity, the fidelity, the cruelty and thievish cunning of the Arabs, and other wandering nations, who preserve themselves to this day in the pastoral, or nearly pastoral condition.

IN the order of nature the pastoral epoch ought to precede that of agricultural combinations; since the culture of the earth so closely depends upon the assistance man derives from the labours of the domesticated quadrupeds. It is not, however, probable that these steps in civilization succeeded each other with any great rapidity. The physical circumstances which favour the formation of herds, are not those which would naturally lead to the practice of agriculture; so that it is likely that the latter invention must have followed on the migration of some pastoral nation beyond the limits of the district favourable to its existence, into a country whose superior fertility spontaneously exhibited products, which were calculated to seduce the people to newer and more profitable labours.

To the culture of the cerealia mankind are indebted for a sudden and vast expansion of intellectual and physical power, and an immediate complexity of the social system. To this period may be ascribed a considerably more minute division of labour, the commencement of commerce, the origin of towns, the conversion of vindictive punishment, and the *jus vagum* of the passions, into a system of regulated jurisprudence, the enactment of minute codes of laws, more precise

political sanctions, and more organized and consolidated institutions.*

The mere fact of the extensive practice of agriculture implies the formation of very accurate ideas of property, and the existence of a conventional system, giving practical security to the labourer, during the long interval which elapses between the sowing and the reaping of the harvest. That security, however, could not be found without the existence of a public will, rendered operative by a public force ; which amounts to something approaching to a regular government,—a government, perhaps, purely patriarchal, or purely democratic,—simple, indeed, in all its dispositions, but capable of suggesting, in considerable accuracy, all the fundamental notions of a moral system.

The first elements of such a system may, perhaps, have originated in a previously existing pastoral association ; but as, in pastoral combinations, there is no direct property in land, they cannot give rise to those individual rights that excite to mental inquiry, and the investigation of general propositions. A very few rules are sufficient to guide a population whose intercourse is rare and casual, with whom barter is not a daily habit, and who are exempted from all those refinements and conventional notions which give such

* Δικαίως δὲ ἀρχηγὸν ἔλεγον νόμων καὶ τὴν Δήμητρα αὐτοῖς γεγονέναι, ἔντευθεν καὶ θεσμοθέτιν αὐτὴν προσηγορεύσαν, οἷον νομοθέτιν δῶσαν.—*Phurnutius de Nat. Deorum.*

Mactant lectas de more bidentes.

Legiferæ Cereri. Æn. 4, 57.

morbid activity to the passions.* From the combination of such elements, any thing approaching to a balanced and stable government can hardly be imagined; and we are fully justified in giving credit to historians, when they unite in the order of time the cultivation of the cerealia, and the establishment of complex legislations.†

The original occupation of land must, in point of fact, have taken place in the same way as that of all other spontaneous gifts of nature. The idea having suggested itself to an individual, of deriving a profit from the soil, he, in all probability, fixed upon some remote and unfrequented spot as the scene of his operations; and having expended upon it his labour, he waited in patience for the reward of his industry. Experience of the rapid multiplication of the cerealia under this mode of treatment, would naturally prove a stimu-

* “ Sans préjugé de religion, sans culte extérieure, les Bédouins sont tolérants ; quelques coutumes révérees leur servent de lois ; leurs principes ressemblent à des vertus qui suffisent à leurs associations partielles, et à leur gouvernement paternel.” Such is the picture given of the modern Arabs, by Denon, in his Egypt.

† Much stress cannot be laid upon etymology in the present case ; but it is curious to remark that *νομος* is at once the root of *νομος* law, and *νομοι* divisions of land ; and the Latin “*lex*,” and our English “*law*,” (Anglo Saxon *Laȝ*.) are both connected with the Mæso-Gothic LAGJAN to lay or place. In early history, some instances are recorded of lands being divided among the people by an Agrarian law ; the term *νομοι*, therefore, may imply lots of land assigned by law : but it is probable that the two words derive their common origin from a higher source, in the idea of distribution common to both.

lus to others; but the land being, in the first instance, plenty, it would be easier for new adventurers to take for themselves, than to dispossess others. It is, indeed, probable, that as land became exhausted, the farmer would frequently shift his ground, before the discovery of manure gave an increasing value to the same spot. In this condition, the cultivation of land in common, with the establishment of public stores, would be a not unnatural arrangement. But in proportion as experience proved the fluctuating value of land, according as it is treated with more or less skill, individual appropriation would in all probability soon become prevalent.

As long, however, as fresh land was plenty, it would be no more natural for men to dispute its possession, than to fight for air, or water, or any other common benefit of nature. Thus certain spots would become habitually associated with certain individuals and families, and would be attached to their personality before necessity could urge to a violent spoliation of the proprietor. A few generations could not, however, pass, before invasions of landed property would commence. The population would press on the means of support, the best lands would be all occupied, and the possessors would feel the necessity of protecting themselves. This part of the community, however, would be the most numerous, and the strongest; its will would be law; and that will would originate a code of distributive justice. Habit, the experience of utility, the denunciations of the government, and the

execrations of those interested in maintaining this law, would gradually, but surely cover the dry declarations of the public volition with a moral (and not improbably, with a religious) sanction. Something like this, we may observe, has taken place in the original colonization of America; before the governments, taking advantage of European notions, vested the land in themselves, and by grants or sales, distributed it under the guarantee of its own authority.

Theorists have been disposed to imagine that land was originally held in consequence of partitions made by a general agreement, as wastes are inclosed and divided in the present day. But this supposes a theoretic notion of right to have preceded the fact of possession, on which it is founded: a generation of ideas obviously impossible.* Why, it may be asked, divide land before it was valuable? and how could it be valuable independently of culture?† To suppose a

* It is this march of mind from possession to right which has given such universal currency to the force of prescription; not only as the most convenient dispensation, but as the most natural or most consonant to the spontaneous associations of the ideas.

† That the idea of the right flows from the fact of possession, and that possession proceeds from a utility derived from the soil, is rendered evident from the peculiar modification under which these phenomena were exhibited among the North Americans, of whom Carver tells us that “to secure the rights of hunting, and to guard those lands *which they consider by a long tenure their own*, are the general causes of their dissensions. Though strangers to the idea of separate property,

general *nisus* to digging and sowing, independently of experience, is a manifest absurdity. The practice must have commenced with individuals, and landed property consequently preceded the possibility of an Agrarian law.

To the epoch of agriculture belongs the permanent creation of a supply much exceeding the actual wants of the society; and the consequent increase of manufactures and commerce. With the invention of agriculture a multitude of interests would arise, a profusion of ideas be generated, and vices and virtues be called into existence which could never have entered into the conception of man, until the relations were formed upon which they depend. In this state of society began the possibility of taxation, of cumbrous governments, supported at the expense of the people, and the necessity for money. If we believe the traditions of the heroic ages, not only the shepherd kings, but the sovereigns of infant agricultural communities, were not exempted from the necessity of rural labour; and the royal females were engaged in the coarsest housewifery of the family.*

property, yet the most uncultivated amongst them are well acquainted with the rights of their community to the domains they possess, and oppose with vigour every encroachment on them."—*Travels*.

* Andromache fed Hector's horses in person :

Νῦν μοι τὴν νομίδην ἀποτίνετον, ἣν μάλα πολλὴν

Ἀνδρομαχὴ θυγατὴρ μεγάλῃτορος Ἡέλιωνος

Ὑμῖν παρ' ἐροῖσι μελίφρονά πυρὸν ἔθηκεν.

Il. θ. 185.

The Latin word *pecunia* bears testimony that the early exchanges were regulated by the number of heads of cattle at which goods were estimated. This standard belonging originally to the pastoral tribes, is far too coarse for the purposes of an agricultural people of any standing ; and the use of a metallic currency must have immediately followed the separation of trades, and the formation of cities. This invention necessitated a considerable progress in the art of calculation, an art which, even at the present moment, holds a powerful dominion over the mind, and continues to take the lead, as the best means of expanding intellect.

But among the most singular moral effects derivable from this physical cause, is the invention of rents. The value which culture gives to land would soon place the possessor above the necessity of labour, when once the proceeds were rendered susceptible of accumulation by the agency of a durable representative.

To give the use of the land to poorer and more industrious neighbours, in consideration of an annual stipend, would readily suggest itself. The possession of land would thus become a source of patronage, power, and distinction ; and a landed aristocracy would arise by the mere force of circumstance, productive of the most important consequences to society ; while the new relation of landlord and tenant would give considerable com-

See also Potter's *Antiquities*, vol. ii., p. 361, where instances of similar facts are given from Scripture history.

plexity to the jurisprudence of the country, and accustom the intellect to more extensive habits of general reasoning. To the agricultural period, therefore, may be assigned the establishment of separate casts in society* the institution of a complicated religious system,† and the foundation of new sources of power, in the arts of misleading and controlling public opinion.

The development of intellect must necessarily proceed with the increasing complexity of interests, and of artificial activity thus produced; and in countries where circumstances were favourable to the invention of navigation, commerce must have opened still more ample sources of knowledge, by establishing frequent communications between the different centres of civilization.

THE pressure of necessities arising out of this new condition of society, must have early occasioned a search after some means of giving permanence to ideas by a series of visible symbols. The civilization of Greece having been derived from other nations, it is impossible to deduce from the history of that country the positive connection between these facts; but the examples of Mexico, and of Peru warrant the supposition that a very

* Our European aristocracies, though founded on the sword, could never have acquired hereditary power in the state, except through the influence of land. Like the aristocracy of trade, the aristocracy of the sword would pass too frequently into different hands to encourage family predilections, and establish family prejudice.

† By the assignment of lands, or tithes on lands, to the purposes of public worship.

small advance in civilization is followed by an attempt to discover such an instrument. Nothing, therefore, bears stronger evidence of the barbarity of the early Romans, than that the consuls were reduced to the necessity of driving nails into a door-post, as their best means of preserving the chronology of the country. It should seem that with all their boasts of a Trojan origin, these people derived their civilization, slowly and reluctantly, through their own hostile intercourse with the Etrurian cities.

Before the practice of agriculture, or at most, of domesticating cattle, had become general, the number of objects sufficiently connected with human interests to require naming, would be comparatively few; and the relations of society would be too simple to create a demand for much mutual communication. Accordingly, among the wandering savage tribes, we find vocabularies confined within the narrowest bounds, and differing considerably from each other even in the neighbouring villages. Under these circumstances, the desire of preserving, by permanent symbols, the scanty ideas which such a language could generate, could scarcely be felt. The attainment of abstract conceptions with an instrument so imperfect, and with motives so inadequate, would, perhaps, be impossible; and the intellectual faculties must remain for ever in abeyance, unless the occurrence of some physical excitement should happen to rouse the curiosity, and stimulate the activity of the people thus situated.

Whatever may be thought of the original peopling of the continent of America, it is obvious that many centuries passed over its nations without affording the greater part of them an available chance of extricating themselves from the helpless infancy of their political condition : and so little demand was there for written documents among them, that even the strong instinct of imitation, inseparable from the animal, had only in a single instance produced the simple expedient of picture writing.

In the practice of agriculture, and the new train of labours and interests to which it gave rise, a stimulus would be found, that must have led to the invention of a written character. "In proportion," says Degerando*, "as societies multiply and advance in civilization, the want of this new

* "A mesure que les sociétés s'aggrandirent et se policèrent, le besoin de cette nouvelle espèce de signes devint chaque jour plus sensible. On formoit des conventions qu'il étoit nécessaire de fixer par des signes permanens, qui leur servissent de garans et de témoins ; on établissoient des lois, des réglemens qu'il falloit faire connoître à tous, qu'il falloit leur rappeler sans cesse, et qu'on vouloit transmettre à la posterité ; on faisoit des découvertes qu'il étoit important de conserver ; il se passoit des événemens d'un intérêt général qu'on cherchoit à consacrer dans tous les souvenirs ; les relations se multiplièrent entre tous les membres de la communauté, elles unirent les individus que séparoit l'intervalle des lieux et des temps, elles leur donnèrent le besoin de communiquer et de s'entendre ; enfin plus les hommes devinrent éclairés, plus leurs besoins s'étendirent et plus ils attachèrent d'intérêts à tous les souvenirs. Ils durent donc recourir plus fréquemment à ces signes, qui seuls étoient capables de les fixer d'une manière sure et durable. Ils durent placer l'art de produire ces signes au nombre des arts de nécessité."

Degerando, Des Signes, v. 1. p. 384.

species of signs becomes each day more sensible. Conventions were formed, which required to be preserved in memory by permanent symbols; laws and regulations were established, with which it was necessary that all should be acquainted, which should be perpetually called to recollection, and which men would desire to transmit to posterity; discoveries were made which it was important to preserve; events of general interest occurred, which it was desirable to hold in memory; relations multiplied between the several members of society, uniting those who were separated by distance, either of time or place, and giving rise to a necessity for communication of mind. In short, the more enlightened mankind became, the more their wants multiplied, and the greater importance they attached to their recollections. They were, consequently impelled to a more frequent search after a system of signs, capable of giving them fixtude and permanence; and to place the art of producing such signs among the first necessities of social existence."

To ascertain the intellectual level of a nation deprived of the use of letters, it is not sufficient to consider the condition of the lower orders, in countries where reading and writing are not widely disseminated. An immense number of terms, introduced into written compositions, and engendered by literary disquisition, are adopted into the language of the upper classes, and from them descend to the most ignorant.*

* There exists in the city of Dublin a race of miserable creatures inhabiting the coal cellars constructed under the new

The poorest and most uneducated peasant derives a reflected light from the general civilization, and the whole race receives an impression, which modifies to a vast extent the quality of its intellect. In Christian countries, more especially, there is poured into the ears of the people a weekly flood of terms, representing the most abstract ideas; which though they do not always convey positive notions, still excite to reflection, and suggest trains of thought, of the most decisive influence upon mental development. It is not, then, enough to figure to one's self the darkness of the middle ages, to enumerate the ignorances, the mistakes, the prejudices, the follies of that calamitous period. During its extremest obscurity, when the best education was

not light,

But rather darkness visible,

scholastic disputation subsisted in considerable vigour; and notions thus descended from the clergy to the laity (neither sound indeed, nor fructiferous), but such as exercised the faculties, and familiarized the judgment with propositions, absolutely unattainable without the aid of letters.

The influence of the art of writing upon language and intellect, is displayed in many historical facts.

streets, in which the houses have not yet been built. These persons pay no rent, remain upon sufferance, and are so wholly unprovided with the necessaries of life, as to constitute, perhaps, the most unaccommodated wretches that live within the bosom of civil society. But, though without trades or instruction of any kind, their intellectual development is very little, if at all, below that of the ordinary working classes.

The siege of Troy is an event so remote from historic times, that it is doubtful whether it should maintain its place in history, or be banished to the fanciful domain of mythology. At the period in which this event is placed, the art of writing could not have been practised : for, if so, annals would have been kept, decisive of the reality of the fact, or directly in contradiction to the Homeric hypothesis. It is thus that we are enabled to separate the Charlemagne of Ariosto, from the restorer of the Western Empire. Between the epoch assigned to the Trojan war, and the birth of Homer, scarcely three hundred years are supposed to have elapsed.* Yet how vast is the intellectual difference between the barbarism of Homer's cooking kings, and that political condition implied in the existence of a language capable of giving birth to the *Iliad* ! A language which could not have been formed without the aid of writing. We have another striking instance of the influence, which written compositions exert on the intellectual fortunes of nations, in the works of Dante, whose writings carried the Tuscan dialect at once to a perfection, the most strikingly opposed to the rudeness of the language employed by his immediate predecessors. Not, however, that it is in the power of an individual, under all circumstances, thus to create and remodel : for individuals are themselves the creatures of circum-

* Some accounts make these events distant but 168 years.

stance, and require to be called into activity by combinations, which, by acting upon the community at large, may propel the whole population in the same direction with the master mind. But similar occasions might have occurred again and again, in ages of greater ignorance and inertness, and men of high conceptions and exalted genius might have exerted themselves in poetic composition, without making any permanent impression on the national dialect, merely for want of such an instrument as the art of writing affords. In estimating this curious phenomenon in the Italian language, it must be constantly borne in mind that Dante coined no words, and that he chose only from many forms of expression for complex times and modes, the most elegant and analogically correct; omitting the barbarous and corrupt terminations, adopted by rustic and less civilized communities. The ore, from which he thus selected his purer metal, was already collected in the writings of his predecessors, and much of it, perhaps, formed by their rude attempts to give utterance to ideas, suggested by the mere attempt to write. Even their very faults were necessary as preliminaries to the labours of Dante. Every original writer, in any branch of inquiry, adds something to the stock of natural intellect, by purifying and rendering precise the language, as far as respects the ideas upon which he has been employed; so that the influence of a good book does not depend more upon the truths it

inculcates, than on the facility it affords to others, enabling them to think with precision, and to proceed with steadiness to ulterior discoveries.

There is another point of view which admits much light upon this interesting fact. The systems of written symbology have not all been equally good ; and each, according to its respective merits, has led the people who have employed it, to a very different point of civilization from all the others. If the unlettered tribes of North America be compared with the Peruvians, Mexicans, Egyptians, Chinese, Greeks, and modern nations since the invention of printing ;* there may be traced a definite and very marked modification of national intellect, accompanying each successive step of improvement in the art of permanent expression. The difference is, indeed, vast between the lawless, artless, comfortless societies of warring and wandering tribes ; the slowly progressive civilization of the Greeks ; the stationary, profitless civilization of the Chinese ; and the rapid development of every useful and interesting science which has succeeded the invention of the press. A similar comparison of the arithmetical signs of the Romans and the Arabs in their influence on the mind, or a consideration of the

* The art of printing is placed here, because though it does not directly influence the composition of ideas, in the same way as particular forms of symbology, yet indirectly it introduces great general accuracy in the use of terms and consequent precision of thinking, among the nations where it is extensively practised.

relation between the algebraical symbols and the science to which they have given birth, place the influence of this cause in a luminous and striking perspicuity.

AMONG the causes which have influenced the formation of moral ideas, none, perhaps, are more important than the unknown physical combinations which have determined the existence of different varieties of the human species. Concerning their nature, little is known ; insomuch that the existence of these varieties may be attributed with much plausibility to an original and primitive formation of each different race. This question, however, is foreign to our present subject. For whether the distinct races were produced by the circumstances of the climates which they inhabit, operating upon one original species ; or whether distinct species were, from the beginning, created to harmonize with those combinations, the moral result is the same.

As the anterior and superior portions of the cerebral organ exist in the greatest development in man, and more peculiarly distinguish him from the lower animals, it seems reasonable to attribute to the instrumentality of these parts the intellectual phenomena,* which man more peculiarly exhibits. Whatever, therefore, were the causes, which compressed these parts, and rendered them smaller in the other varieties of man, than they are in the

* This assertion is independent of the material or the spiritual hypothesis ; being equally true in both cases.

European, (making those other varieties middle terms between the European organization and that of the brutes) those causes must be taken as materially influencing the moral condition of the species.

It is a singular fact, that in no instance have the dark varieties of man reached to the conception of those moral ideas which accompany, or perhaps occasion, liberty and genuine civilization. Time and accident operating upon so great a scale as that offered by the largest part of the earth's circumference, and the whole duration of recorded history, ought, upon the simple doctrine of the chances, to have produced among some of the dark tribes, *foci* of civilization similar to those which have existed among the white race, unless a very powerful predisposing cause operated to control the march of events.

That the singular degradation of form observed in the skulls of the dark races does modify to a great extent the intellectual powers, is not to be denied: and that it has opposed an obstacle to civilization hitherto never perfectly vanquished, is an inference standing upon strong grounds of probability. In what specific attributes of mind the inferiority subsists, is not so clearly to be stated. With respect to the common charities of life, the dark races, when placed under other circumstances of equality, are not inferior to the white. Good and evil make the same impressions on their senses, and operate in the same way, by exciting the affections of love and hatred; but it may reasonably be doubted whether the general balance of

passions is the same. Analogy leads to an inference, that as the dark races approach nearer to the animal formation, and want that part of the brain which may be taken as the organic cause of the nobler, and more intellectual impressions, so their mere animal propensities must predominate more decidedly in the will, and lead to more unmeasured reactions. Facts agree admirably with such an hypothesis; but it is not easy to ascertain that the whole difference between the overt acts of savages, and those of the white man under similar contingencies, is occasioned by a positive incapacity for the higher conceptions, and does not in fact proceed from the want of occasion for their necessary development. Admitting, what as a fact can scarcely be denied, that the dark organization is less favourable to spontaneous moral development, than the white, it must likewise be acknowledged that the power of profiting by the experience of the white race, and of receiving its impressions, and adopting its practices, has never been fairly put to trial. The intercourse of the Europeans with America and Africa, has chiefly consisted in violence and rapine; and their conduct has exclusively been directed to enfeebling the intellectual powers of their victims, and alienating their affections. There is no point in which the influence of Christianity* upon our affections is more

* This observation is directed, not against the morality of the Christian code, but against that overweening pretension of some of its professors, who seem to imagine, that the morality prescribed in the New Testament is a measure of the purity of

decidedly negatived; since the very devils, the ideal embodyings of abstract malevolence and perversion, could not be conceived capable of greater outrages on humanity, than the professors of that beneficent religion have for a long series of years practised towards their less civilized fellow-creatures.* How far, under a different course of treatment, the dark tribes would profit by European illumination, remains to be proved. Individual exceptions ought not to be considered as specimens; nor can the establishment of an independent black government be regarded as decisive.

The greatest difficulty in interesting savages in improvement, is found in the attempt to inspire them with a sense of the wants and desires of Europeans. It has been sarcastically remarked, that the only European inventions which savages have appeared to covet, are brandy and gunpowder.† But this difficulty is not wholly of an organic origin; since we find amongst a civilized people,‡ the lower classes subsisting in a state of deprivation, which reflects the deepest disgrace on the government which has so reduced them; and,

their own conduct, at the same time that they are in perpetual opposition to it. To judge from the overt acts of men (especially of public men), one might be tempted to believe that the code laid down by their Redeemer was to be understood and practised in the direct contrary of its literal meaning. Under these humiliating circumstances, the least that might be expected is a little mutual toleration for speculative differences.

* The extinction of the Carib race; the outrages of the Spaniards in South America, negro slavery, &c. &c.

† John Hunter's Works. ‡ The Irish.

living in the sight of all the luxuries and commodities of life, without seeking to obtain for themselves those most immediately within their reach.

When this indifference to externals exists, either as an acquired or a constitutional defect, great intellectual improvement must be necessarily excluded ; for motives are altogether wanting to give the activity of mind, requisite for ulterior improvement.

Another source of the inferiority of the dark races, connected, perhaps, in some degree with the last, is found in a smaller capacity for persevering exertion. The dark varieties of man are generally more capricious in their volitions, less sustained in their desires ; and, except where their immediate nourishment is concerned, or the gratification of revenge is the object (a passion to which they seem to be comparatively prone), they are more eager than determined, more susceptible of resentment than of resistance, more influenced by present impressions than remote calculations.

A comparative view of the moral capabilities of the several varieties of the human race is, as yet, a perfect desideratum in the history of mind. The facts dispersed through books of travels have never yet been collected into one focus. Nor have any of the tribes, of which these races are composed, been studied with the intention of giving greater accuracy and extent to experience. The crude, and often fallacious remarks of navigators touching upon new discoveries, can hardly be depended upon as sufficient for philosophical purposes. In

the mean time, however, there are sufficient data before us to warrant the conviction, that the most degraded of the dark races are not incapable of entering into moral relations, however unequal they may be imagined to form associations as complex as those of European civilization. It may with great reason be doubted whether the organization of these races will ever permit them to exist in as dense populations, and consequently, to come into as close moral contact, as the white race has frequently done: but that they are susceptible of forming pastoral, and even agricultural unions, when assisted by European lights, there can be no question. An unfortunate belief that peculiar modes of faith are essential to saving the creatures of a just and good God from irremissible damnation, independently of all time and circumstance, has led to benevolent, but mistaken efforts at converting the simple tribes of Africa and America, which are at once ill-timed and irrational.* The first wants of these nations are manifestly physical; and the earliest instruction they require, is in those arts which soften the heart, while they raise the temporal condition, and are therefore necessary precursors to the more elevated and purified notions of morality, without which, dogmas and mysteries are mere provocatives to fanaticism and intolerance. On the other

* Lawrence supposes, under any circumstances, that conversion is impossible, from an organic deficiency in the subjects.

hand, any course of instruction which commences in purely ideal abstractions, if offered to a people unacquainted with the intermediate notions which connect such abstractions with the sensible world, can produce nothing but a passive acquiescence in certain formulæ of words, which as it is divested of ideas, must be as worthless before God, as it is unfruitful in useful results to man.

CONCERNING the influence of climate upon morality, and the destiny of nations, much controversy has been raised ; and while on the one hand its influence has been considered as paramount, on the other it has been totally denied. Man, however, is so wholly a creature of relation, that no circumstance of external nature capable of acting on his sensibility, can be supposed altogether indifferent to him.

The influence of climate is exerted in two distinct ways. First, by the direct impressions of heat, light, and moisture on the living fibre ; and, secondly, by its indirect operation, through the modifications it effects in the produce of the earth, and in other circumstances closely influencing our wants and gratifications. That the warmth and coldness of climate exerts a powerful influence on the human constitution, and consequently on the moral character, admits of no dispute. That a warm climate tends to exalt the sensibility, and to develop the nervous tissue at the expense of the muscular, is a fact that cannot be indifferent to morals. But there is another consequence of this condition, whose influence is more universally

admitted, and that is premature adolescence. In countries where childhood is by some years of shorter duration than with us, where the organs of reproduction are ripe for their purposes long before the period at which the mind expands, and is enabled to form the habits of thought and action included in the idea of education, their influence must be much more decisive on the destinies of the species ; while age, advancing with a proportionate rapidity, leaves not the same interval for those continued and sustained exertions, necessary for arriving either at fortune or knowledge. Hence the aggregate exertions of nations so situated must be less efficient, and demand the flux of many more generations to carry them to success.

The second operation of climate through the productions of the earth is infinitely more important and open to observation. All the functions of life being reactions of the organization upon the stimulus of externals, the quantity and quality of action must necessarily depend upon the quantity and quality of the stimulus. In proportion, therefore, as nature affords obstacles to the facile gratification of desires, provided they be not wholly insuperable, the animal is impelled to new exertions ; and is wound up to an activity, which stops not at the satisfaction of the first wants of nature, but multiplies means and enjoyments the most remote and artificial.* In those regions where the fertility of the earth responds to very

* See Sketches of the Philosophy of Life, p. 438, et seq.

small expenses of labour, where fuel, housing, and clothing are rendered less pressing exigencies by the mildness of the seasons, the necessity of co-operation is less intimately felt; and motives are wanting to develop to its full extent, the natural sociality of the species. The waste of vitality occasioned by muscular labour, also predisposes the animal to repose; and the daily meal being procured, idleness is thus rendered the great enjoyment of life. In societies thus situated, the influence of government upon happiness, is less immediate; and even when most oppressive, it finds its victims less alert and less braced for resistance, than in countries where nature has been less prodigal of its gifts. There is, then, an obvious harmony in the location of the dark races in the warm climates of the earth, where the fertility of nature compensates for their diminished powers of organic resistance; and it may be remarked, that wherever circumstances have occasioned their migration into more ungenial and inhospitable regions, they have been unequal to maintain the war against nature, and have dwindled both in numbers and in structure; exhibiting specimens of the most miserable and helpless existence, in which animal life can be carried on.

The first and most important necessary for the multiplication and development of society, in the temperate regions of the earth, where agriculture demands continued and combined labours, is liberty. The same brutal and blind tyranny, which sits easily upon the Asiatics, would reduce

European nations to inevitable ruin. Even in Italy and Austria, where the Asiatic principle of government exists in all its theoretic purity, a natural instinct of self-preservation compels the wretched autocrat to administer public affairs with something like an approach to a regard for the interests of the people. With the multiplication of wants, the means of gratification must go hand in hand, or the race must perish. In rigorous climates, therefore, a respect for the rights of property is more essentially necessary ; and co-operation of labour being also more urgently requisite, laws, regulations, and distinctions, sanctioning and directing the new relations thus acquired, must multiply with greater rapidity and subtility, than is absolutely necessary in warmer climates. Although, therefore, many exceptions may be pointed out in history, and though parallels of latitude are no precise data for assigning the degree of liberty or of civilizaion in any particular nation, yet the more extensive the field of inquiry, the more decisively will facts be found to quadrate with the general proposition.

In reasonings of this cast, we are apt to fall into frequent uncertainties and disappointments, from the error of expecting too much from any insulated cause. The first observer of any law is apt to be carried away with too great rapidity to particular conclusions ; and those who come after him, detecting his miscalculations, are too readily led to doubt the justice of the principle from which such false conclusions have been deduced. But,

to come back more immediately to our subject, climate is only one among many other causes, affecting man's nature and faculties ; and its influence is liable to be increased or controlled by the concurring actions of other causes, more or less favourable to its agency. Thus, to take a familiar instance, fanaticism among the Asiatics, stimulated them to exertions in war (and by a remote but necessary consequence, in commerce and the arts), very little to be expected from the inhabitants of the eastern climates ; and the armies of nations, whose myriads had once been held in check by an handful of Greeks, had, under this influence, very nearly conquered the whole of the known world.

In the same way, local facilities of trade gave origin to the activity of Tyre and Carthage, in direct opposition to the causes common to these cities, and their indolent and inactive neighbours.

But whatever may have been the causes of public liberty, and an intimate social union, whether they derive chiefly from the superior organization of the Caucasian variety of man, or are more dependent upon the happy physical position of the nations in which such institutions have prevailed ; or whether, as many may imagine, they have sprung from the play of numerous conflicting accidental causes, as well moral as physical, their existence is intimately connected with an extensive cultivation of the intellect.

Where the greater portion of the community is effectually excluded by institutions, or by the force

of circumstances, from the management of public affairs, there can exist but little interest in the investigation of general propositions ; the mind, occupied merely with the daily routine of life, is with difficulty carried beyond the most pressing necessities of nature. In such societies, although (in the neighbourhood of a court) a few individuals may distinguish themselves by literary efforts, and though a forced and semi-barbarous civilization may manifest itself within a metropolis, yet the people must continue ignorant and brutified ; barbarous institutions must find a source of perpetuity in the false and partial interests they create ; and science must make slow and uncertain progress, as well from the small number of its cultivators, as from the influence of authority and the jealousy of the privileged classes. Hence it has happened that, notwithstanding the example of free states, and knowledge introduced by foreign literature, and notwithstanding the progressive intellectual improvements resulting from commerce, the inhabitants of despotic governments have found the greatest difficulties in establishing freer forms, and overturning the authority of their oppressors. For it is not sufficient that a few leaders should have clear views and pure intentions. In revolutions of all kinds the moving few must work with the many ; and (where the people are brutally ignorant and degraded), they must but too frequently meet the disastrous fate which has fallen on the leaders in the late Neapolitan struggle.

The resistance against which reformers have to

contend, most frequently compels them to adopt extreme measures ; and the force which is necessary to put down a despotism, is too great to be wielded with wisdom and safety by a debased populace. Thus the selfishness of the privileged classes, by forcing premature innovations, is equally mischievous in defeat, as in victory.

In countries where all are called upon to contribute to the expression of a public will, a spirit of activity is called forth, which extends through every branch of human investigation. To the freeman, every subject is a matter of interest ; and habits of inquiry, once established, preserve the mind in a state of constant orgasm, that spurns the influence of authority, and relieves the intellect from the heaviest of yokes,—the most insuperable impediment to progressive improvement.

In the liberty of Greece was cradled its philosophy ; which, though founded on a false logic, and upon bases purely imaginary, carried the intellectual powers of the species to the highest pitch of acuteness of which perhaps they are susceptible. The language and the social habits which produced a Socrates, leave little to be desired for the moral development of man, except its permanence.

The history of the Greek philosophy, the aids it afforded to intellect, and the chains it threw round the human mind, are sufficiently known. Such as it was, its records having been preserved amidst the great wreck of civilization that followed the eruption of barbarians upon the Roman Empire ; it

amalgamated itself with the doctrines of the prevailing religion, and formed the sole intellectual capital of the ages which succeeded. The influence which it exerted, by combining the greatest subtilty of dialectics with the profoundest ignorance of the realities of nature, and by giving a preponderating authority to points the most remote from truth, was an efficient impediment to that expansion of the faculties, otherwise peculiar to nations in the vigour of their youth, before they are corrupted by a multiplicity of desires, or exhausted by disproportionate exertions.

Two other circumstances mainly contributed to the long duration of that epoch, in which civilization was either stationary or retrograde; the rise of an insulated and authoritative hierarchy, and the division of the population into two casts of conquerors and conquered.

The extensive conquests of the Roman Empire had been, in the first instance, unfavourable to the intellectual improvement of man, by concentrating knowledge exclusively in the one great capital of the world: for, though they might have given a sudden development to the social existence of some nations less enlightened than themselves, yet the relation they established of master and slave, and the substitution of provincial for national government, were most unfavourable to ulterior improvement.*

At the downfall of the Empire of the west, the

* Of this truth the legislative union of Ireland with England affords a modern instance.

European world became divided into the effete and degenerate Greek empire, and the savage and infant kingdoms of the Northern invaders. In the former, a false and corrupted philosophy, a mysterious, dogmatic and polemic theology, inveterate habits of false reasoning, the frequent change of dynasty, the gradually increasing pressure of Mahometan enemies, were sufficient causes for confining intellect within the narrowest bounds.

But in the rising states of western Europe, the elements of rapid and powerful advances in civilization existed ; which, had they been favoured by circumstances, would have been productive of the greatest results. The northern tribes, which had taken possession of the finest provinces of the western empire, and finally subjugated even Rome itself, were a race of unworn feelings and superior energy. The spirit which had urged them to quit their native woods, and earn for themselves a richer patrimony at the point of the sword, was little calculated to crouch either beneath a spiritual or a temporal despotism. Their institutes were essentially free ; and had they possessed the moderation and the good sense to amalgamate with the people whom they conquered, and to have communicated to them their own privileges, they would quickly have consolidated liberty over so vast a surface, as to have ensured for ever the destinies of mankind. Unfortunately they introduced feodality ; and binding the conquered races as serfs to the soil, they divided and parcelled their strength, till, one by one, their small independent communities

were absorbed into kingdoms and empires, universally cursed with the tyranny, by which the petty chieftains had themselves maintained their own claim to be supported by the labour of others.

The clearness of their notions on government, and the energy with which they were disposed to maintain their rights, appear in the ancient governments of almost all the European states. The Cortes of Spain, the *Champs de Mars et de Maie* in France, the English Parliaments, are evidences of the first; the frequent changes of dynasty and civil wars in the monarchies, and the freedom of the glorious republics of Italy evince the second.

The evil destiny of Europe, in converting the invading tribes to Christianity, subjected them, not to the comparatively pure morality of the gospel, but to an hierarchy, whose tyranny united all that is odious with whatever is most contemptible in despotism. The necessity which the conquerors had imposed on themselves, of living by the sword, presented an effectual barrier to the progress of literature and the arts; and while the priesthood held the dominion of opinion in matters of faith, they were enabled to arrogate to themselves the monopoly of temporal knowledge. Still, however, the spirit of liberty struggled hard against this double authority. The Lombards, who occupied the finest regions of Italy, were, in religion, Arians; and the independence of mind which they retained, even in abandoning their own liberal faith for the absurdities and mystifications of another church, survived for many

generations : so that it was not till, by an unholy alliance of church and state, the priestly and kingly despotism had united in a concentrated and persevering conspiracy for many centuries, that the liberties of Italy were overthrown. The genius of the French monarchy expired under Louis XIV., and that of Spain under Charles V. In England, freedom, often compressed, violated, and contemned, has never wholly left her sanctuary in the hearts of the people ; and, during the deepest night of ignorance, in the thralldom of superstition, and under the rod of the Norman kings, and their successors, it blazed out from time to time, enabling them to take the lead among the nations of Europe, both in civil and religious reformation ;* till finally, in the great revolution, and at the no less memorable epoch of American independence, they have been advanced by it to the highest pitch of physical prosperity and intellectual culture to which human nature has attained during the long period of recorded history.

But as it was the intricate maze of Greek theology and Greek dialectics, in the epoch of that nation's greatest corruption, that served to rivet the chains of modern Europe, so, on the other hand, it was the bright example of Grecian liberty, and the steady light of Grecian literature, that first awakened its nations to a sense of a better political state than that under which they groaned ; while, in the free discussions of the rival sects of Greek

* The spirit of inquiry excited by Wycliff, continued silently to work, and prepared the way for the great national reform.

philosophy in its day of purity, they discovered the futility of authority, and learned to estimate at its just value the dignity of reason.

To the revival of classical learning is to be attributed a large part of the existing civilization (and Greek and Latin ideas are still influential both on our notions and actions);* but had not the energy of the western intellect extended inquiry beyond the narrow bounds established by its first masters, had it not burst the bonds of the Greek philosophy, and traced out for itself new routes to knowledge, the greatest advantage of the victory would have been lost to humanity. It is, therefore, essential to ascertain the causes which have gradually led to the abandonment of ancient systems, and to the adoption of others, which even now are but commencing their operation, and which promise to impress an entirely new character on the ages which are to succeed.

To the existing civilization, three causes, purely physical, have in a great measure contributed.

* Even now we are but throwing aside the absurdity of beginning a poem with an invocation of the muse, which, in the present state of mind, is an unmeaning platitude. The bishop's crosier is the augural staff, his religious calendar is that of Pagan Rome: Roman jurisprudence, more or less, infects all the codes of Europe; the prevailing notions on the sublime and beautiful are Greek; so are the forms which are most favoured in painting and tragedy, especially in France; the humoral pathology of the Greeks gives a colour to our language, and is not wholly uninfluential in the practice of medicine. Greek liberty alone is proscribed; but the language of freedom is still taught in our schools.

The discovery of the polarity of the magnet, in opening a new world to contemplation, and in presenting to the intellect an infinity of new images, at the same time that it supplies to daily use a variety of new natural substances and artificial products, has given a corresponding expansion to the mind, a new sphere of activity to the will, and a complexity of commercial relations, which have multiplied laws, extended general reasonings, and modified the abstract notions of philosophers, no less than the practical ideas of commoner intellects.*

How far the physiological influence of those articles of food and condiment which are imported from America and India may have changed the organization of the species, is a question not susceptible of an hasty or succinct solution;† but

* Thus the discovery of the antipodes, and the other improvements in geography, by setting natural philosophy in contest with superstition, gave birth to a new interest hostile to authority; while, by convicting the church of errors in fact, it created a powerful presumption against its accuracy in matters of mere faith.

† Tea, coffee, tobacco, chocolate, vanilla, and the spices, are substances having a direct action on the nervous system. Other importations from the new world, by multiplying vegetable food, diminish the carnivorous habits of the species. If the routine of stimuli applied to the stomach in the present day, be compared with that which prevailed in England, when the people used no other drink than ale, and subsisted for the greater part of the year upon salted provisions, without potatoes or other vegetable esculents, without oranges, lemons, and other fruits which commerce has imported or art naturalized in the country, this proposition will not be deemed wholly fanciful.

the variety of new interests that have been created, through the instrumentality of the compass, the great extension of means, the immense increase of facts submitted to contemplation, may be considered as having expanded, in a complicated ratio, the domain of intellect; and as having by the shock of their first impulse, contributed to rouse energy, dissipate the long night of ignorance, and to draw a firm line of demarcation between the civilization of the ancient and modern world.

One consequence of this invention, most important to the moral development of man, was the change which it made in the routes by which commerce conducted its operations. The original intercourse with the East, by land carriage and the Red Sea, not only added to the expense of oriental products, and thus confined trade in narrower channels, but necessarily created a monopoly in favour of those nations, or cities, which, by their geographical position, commanded the Mediterranean. The discovery of the compass opened trade to every clime, and to every nation possessed of a seaport, and endued with energy to build and navigate a ship. With the multiplied *foci* of commerce thus established, were created fresh centres of arts, of literature, of liberty, and of intellectual activity, in every branch of human exertion. The

Without, however, insisting on the physiological agency of such causes, their moral efficacy, in changing the current of ideas, and substituting new, for ancient habits, can neither be overlooked nor neglected.

destinies of the species were no longer dependent upon the fortunes of a single people. The barbarism, selfishness, and absurdity of a single despot, could no longer extinguish the light of truth by a summary act of authority. The philosopher, when persecuted in one state, found instant refuge in another; and opinions, which in Rome, or in Madrid, would have ensured their professors the apotheosis of the faggot, in London, or at Amsterdam were received with favour, or rewarded with distinctions. In this establishment of independent schools of inquiry, a touchstone was found for trying the validity of notions, more valuable, even, than that of the ancient sects of Greek philosophy; for national prejudice was converted into an obstacle to implicit submission to the *ipse dixit* of a favourite authority. Connected with this cause, also, is the vast extension of popular influence, derived from the increasing riches of the community, and that revolution in affairs, which, by making money the sinews of war, has given a powerful check to the self-will of tyrants, and forced them to seek or to affect popular interests in their military enterprises; while on the other hand, by establishing political powers, independent of extent of territory, it has multiplied the number of sovereignties, rendered ambitious and restless sovereigns assailable in more points, and prevented a decided preponderance of any one state from being permanently established. The trade of the low countries thus prevented the universal monarchy of Spain; the trade of England and Holland

baffled the wild ambition of Louis the XIVth ; and the trade of England, eventually overturned the whole coalesced power of Europe, vested in the iron grasp, and set in motion by the comprehensive mind of Napoleon.

It is not the object of the present volume to follow causes into their remotest consequences: it is sufficient to indicate the general causation, leaving it to every man's own reflection to pursue the clue. It may not be uninteresting, however, to remark, that while the sudden influx of commercial wealth has generally bettered the condition of the people in those countries which have partaken of it, it has softened their manners, given leisure for their education, enabled them to derive advantage from the discovery of printing, and, consequently, to take an active part in the reformation in religion. How far these causes contributed to the great English rebellion, and its more fortunate offspring, the great Revolution of 1688, and how far these events assisted in preparing the American and the French revolutions, is sufficiently obvious: their influence upon the moral and physical development of man, must, indeed, be admitted as inconceivably great!

Another train of ideas, connected with this fact, which it is sufficient simply to indicate, relates to the growth of a system of corruption, calculated to deceive and to enchain the new power of opinion which the change in the condition of the people had fostered and rendered formidable to kingly power. To this cause may be traced a large part

of the modern wars of Europe, and the intrigues of modern cabinets, paper credit, taxation, the depression of the lower classes to form an aristocracy of wealth, an increased activity of mind in the oppressed classes, indolence, indifference, and comparative ignorance of the *nouveaux riches*, and a new distribution of the moving forces of the community, which must occasion newer, and still more extensive changes in the destiny of humanity.

COINCIDENT with the great revolution in European affairs, occasioned by the discovery of the compass, and in no mean degree co-operative to the same ends, was the invention of gunpowder, which by changing the art of war, has so far altered the relation of states to each other, as materially to hasten the civilization of the species.

The practice of warfare, it can scarcely be doubted, is the result of an instinctive propensity. Without recurring to the hypothesis of a specific organ of cruelty,—cupidity, dislike of labour, love of gambling, the chances and variety of a predatory life are sufficient motives for leading to hostilities: and among the savage tribes, the pressure of an overflowing population, would furnish abundant occasions for putting these passions in activity. The great fact of the rapid power of multiplication inherent in the human species is much contested; and arguments are sought in data too obviously imperfect to afford positive demonstration. To settle, however, the question at once in the affirmative, it is sufficient to remark, that any animal species, subject to the operation of

chance, such as plague, pestilence, and famine, must possess within itself powers of increase, very far beyond what is sufficient for maintaining or slowly increasing its actual numbers, or the race would inevitably perish. All other organized species, animal and vegetable, have powers of increase vastly beyond the utmost physical possibility of their development: and this is a necessary consequence of the law which renders them reciprocally the prey of each other.*

From this necessity man alone is exempt; for while he is the voracious destroyer of other species, he is the destined food of none; and war, famine

* The great objection which has been manifested by certain individuals to admitting this fact, seems to have arisen in an idea that it leads to a selfish doctrine, inculcating neglect of the lower classes. In truth, however, the theory of Malthus, properly understood, is more favourable to the principles of liberty. For if there is a tendency to increase too rapidly in the species, it is only the more necessary that its powers of *multiplying means* should be left more rigidly to themselves; neither cramped by tythes, taxes, nor the eternal meddling of monopolies and restrictions. On the other hand, as there is no check to increase in nature that is not productive of accumulated misery, save only a moral feeling, it follows that to elicit that feeling is the first duty of statesmen: and this can only be accomplished by raising the mere citizen to a higher sense of dignity, by favouring his industry, extending his liberty, and giving him his fullest share of direct influence possible, in the management of public affairs. All the miserable expedients of eleemosynary instruction, workhouses, hospitals, bible societies, and interference of the rich with the habits of the poor, operate directly in a reverse direction; making the people indifferent to the fate of their offspring, and giving them a positive encouragement to contract imprudent marriages.

and migrations, have been the necessitated consequence of the rapidity with which the species has multiplied during the earliest stages of society.

In proportion as civilization increases the power of the species, this, in common with most other natural evils, is mitigated. The multiplication of artificial wants becomes an effectual check to improvident increase, while the concentration of national strength multiplies the production of food, and renders it more permanently proportioned to the wants of the state; thus, while on the one hand civilization obviates destructive famine, it prevents on the other that excessive abundance, which, by an inevitable reaction, must necessarily follow it, and provoke the species to a too rapid increase.

The great symptoms of this agency of civilization are the artificial grounds of war, and the moderation and humanity with which hostility is conducted. Between nations fighting for subsistence, a war of extermination is inevitable. Like all other carnivorous animals, when pressed by an insufficient supply of food, man becomes cruel and bloody; and his temper grows mild and his propensities gentle, in proportion as his pleasures predominate over his pains.

The effect of war, on the contrary, is to diminish the sum of civilization, to destroy the means of society, to blunt the kindlier feelings of humanity, to give a wrong direction to national energy, and to substitute for regular habits of industry, in the trader gambling speculations, and in the soldier, the predatory and desultory propensities of the wandering savage.

The bearing of the invention of gunpowder on these facts is various : for first, it tends to diminish the eagerness for war, by taking away from the personality of the contest. The angry passions are less excited by individual resistance, and personal vanity is less gratified by the triumphs of personal prowess.*

Another of the immediate consequences of this discovery is to render the trade of war less incompatible with social and civilized habits. When success depended more upon bodily strength than on skill, the warrior was compelled to spend his life in the daily practice of athletic exercises, and thus to separate himself from those who either engaged in literary pursuits, or followed the peaceful arts of agriculture or of manufacture. Thus, there naturally arose two classes of citizens, essentially different in their organic force : the one, rejoicing in his strength, and utterly ignorant of all but forcible means, looked down with contempt upon the other ; and both were brutalized, and rendered less susceptible of ulterior improvement.

There is a charm in the repose and tranquillity of literary leisure, and a pleasure in the attainment of knowledge, which would operate in all ages, if not opposed by the strongest necessities : and it is not to be supposed that the rude Barons of our early history, if ignorant even of this, could be insensible of the advantage which the learning of

* “ Oggi questo coraggio e questa forza stessa è divenuta inutile. Gli uomini combattono senza toccarsi, e muoiono senza distinguere chi gli uccide.”—*Filangieri*, vol. i. p. 155.

the churchmen gave them over the lay chiefs, in all matters of worldly policy. Their alienation from the arts of peace was therefore compulsory ; and their contempt for letters, an effect rather than a cause of their actual position ; accordingly we find that as soon as circumstances permitted them to throw aside their armour, and leave their castles for town-residences, they became early conspicuous among men, for political reflection, scientific and metaphysical research, and the lighter arts of poetry, music, and dancing, even to refinement and effeminacy.*

The invention of gunpowder, the more immediate cause of this change in the manners of the upper classes, became an active principle of equalization, and gave a deadly blow to that system of feodality, which compressed the best faculties of man, impeded the development of the sciences, and degraded by an equal corruption of morals and obtuseness of intellect, the slaves who were its victims, and the tyrants it upheld. By rendering the combat a matter of calculation and of skill, while it exempted the upper classes from the necessity of cultivating their physical powers, it held out to them, in the demand it created for acquired knowledge, an inducement to cultivate the mind. At the same time, however, it gave a vast and sudden preponderance to talent over birth ; it destroyed the aristocracy of arms ; rendering the people independent of territorial chieftains, for generals and leaders ; and thus while it

* Lord Herbert, of Cherbury, Earls of Surrey and Essex, Marquis of Worcester (author of the *Century of Inventions*), Sir P. Sidney, &c. &c. &c.

made the citizen more readily a soldier, it made the soldier a better citizen; humanized his disposition in war, and gave him efficiency and respectability in the bosom of peace.

Another most influential advantage derived from the invention of gunpowder, is the equality it tends to maintain between rival nations; and the security it affords civilized states from the incursions of ruder, but more physically powerful nations. The destinies of man are better protected from the effects of individual ambition, and from sudden and violent retrogradations, such as that which accompanied the downfall of the Roman empire.

The general effect of these various consequences has been to raise the lower classes of society, to humanize the upper, to confine warfare to the moment of contest, and amidst the conflicts of nations, to beget a respect for the arts of peace. Through this agency, society has already gained by a diminution of the horrors of war, and by a greater equality among the citizens of the same state; and to it posterity will, in part, be indebted for the establishment of those constitutional governments, which sooner or later must supercede established despotisms;—constitutions which no illumination, no public spirit could protect, while there existed in the bosom of society a permanent physical inequality between man and man.*

BUT while the invention of gunpowder and the

* The superiority alone which gunpowder has conferred upon infantry over cavalry, has powerfully operated to raise the people at the expense of the aristocracy.

compass were inducing a gradual revolution in European society, infinite and immeasurable were the effects of the other great product of modern ingenuity, the keystone of the arch of civilization, the anchor of hope, on which the destinies of humanity repose in security. The influence of the art of printing is a subject, whose extent exceeds the grasp of the steadiest scrutiny, and exhausts even the powers of imagination to conceive. Like time and space, it oppresses the intellect by its immensity, and like them it is only understood in a few of its details.

An approach to any thing like an adequate conception of the change, which this invention is calculated to effect in the fortunes of mankind, is the more difficult to make, because as yet the largest part of its operation is to commence. The first application of this instrument was necessarily directed towards realizing the existing notions prevalent among the educated few, and disseminating among society at large that knowledge, such as it was, which had hitherto flowed in the narrowest channels. Black-letter books, the labours of the Caxtons and the De Wordes, are sought by the curious, and bought at extravagant prices, as specimens of the condition of the art in its earliest infancy; their real value consists in the exhibition they afford of the intellectual condition of the species at the epoch of the invention. Books of superstitious piety, scholastic divinity, magic, astrology, alchemy, and erroneous natural history, were among the first fruits of the press;

and, therefore, it is certain they were the works in most general demand. If we look into the early printed books, to note the prejudices which occupied men's minds as established truths, and to sum up the errors which passed current in society, concerning ghosts, witches, the philosopher's stone, sympathetic medicines, magical and superstitious practices adopted for the cure of diseases, imaginary animals, griffins, phoenixes, unicorns, salamanders,—false history, false chronology, to say nothing of the gross misconceptions concerning the attributes of the divinity, and the scheme of nature,—we find truth so enveloped in falsehood, and the natural condition of man so depressed by his mistakes and ignorances, that contempt involuntarily mixes itself with pity ; and the imagination shrinks with disgust from a picture, which, like the anthropomorphic structure of the monkey, degrades us even in the reflection of our own superiority.*

* There are few books more interesting in this point of view, than *Brown's Vulgar Errors*, which exhibits a strong mind wrestling with the prejudices of the age, making incredible exertions to disprove errors, which are now universally abandoned, and touching with gentleness opinions which are now beaten down without ceremony. When the zealous and fanatical persecutors of innovation (who, though they shrink from burning a heretic, scruple not to assassinate his reputation) feel their blood mounting against any one who presumes to differ from them, it might be a wholesome medicine to look backward two hundred years, and to see their own dogmas disputed, and treated as dangerous blasphemies ; then, casting their eye forwards to the age that is to follow, they might foresee the possibility, nay the certainty, of their own super-

The revival of an ancient system of knowledge, belonging to another state of civilization, whose monuments had remained buried in the obscurity of neglected libraries, followed with a wonderful celerity, and occasioned the first steps that were made in the culture of mind. The vigour with which this process was conducted, forms a feature in the portraiture of the fifteenth and sixteenth centuries, remarkable amidst the many traits of intellectual elasticity produced by the excitement of this new cause. On this head it is sufficient to quote the labours of the Aldine press, whose products might each of them be considered as sufficient to occupy the life of their editors. An age of commentators and of critics ensued, in which, though the understanding was sharpened, the taste purified, and the intellect expanded by a new range of inquiry, few very important additions were made to positive knowledge, by the agency of the press. To employ an expression not very new, it was necessary to get on the shoulders of the ancients, in order to look over their heads ; while the rendering the classics legible, was naturally the bent of an age which immediately succeeded to their divulgation. Another cause, conspiring to the same consequence, was the safety, as well as the readiness of this road to honours and emoluments. It was less dangerous to correct the errors which were discoverable in Homer, than to

stitutions sinking into the class of vulgar errors ; and thus, perhaps, they might be withheld from persecution, by a foretaste of the infamy which posterity will heap upon their own bigotry and intolerance.

denounce those that had crept into religion ; and any interpolations might be more confidently attacked, than those of the founders of the church.

At length, however, the impetus given by the press, began to be felt in a simultaneous movement in every branch of useful inquiry. Bacon, profiting by the facilities this new art afforded him to store his mind with information concerning all that man was doing and ever had done in the accumulation of knowledge, arrived at a clear conception of the source of our errors. His gigantic mind sufficed to trace a new route, and to lead the way in the path of improvement ; Galileo appeared ; natural history received a vast and a sudden increase, amounting almost to a second birth ; Hervey discovered the circulation ; Sydenham purified physic of manifold errors ; and finally, Locke and Newton appeared to establish the dominion of truth in the two great departments of moral and of physical science. All these marvellous exertions of intellect and ingenuity were crowded within the narrow space of an hundred and fifty years ; * yet by far the greatest portion of valuable works which have appeared from the press, even to the present day, have been directed to the eradication of notions, disseminated among men by its earliest productions, and in confuting doctrines which the first printed books had been directed to confirm. Even now the combat between ancient abuse and modern innovation continues, and occupies all the powers of the most

* Bacon was born 1569. Newton died 1726.

civilized and cultivated nations. It is, then, infinitely difficult to anticipate the march of mind which will ensue, whenever a system of fundamental truths shall have been firmly and finally established; and the intellect (neither embarrassed by useless and noxious lumber, nor jaded by conflicting opinions, and incessant controversy) shall proceed uninterruptedly in its course, and go forward with a steady pace to the goal of improvement.

The political and moral consequences of the invention of printing are too obvious to have escaped a frequent notice. Its organic influence on the species remains wholly unexamined. The habitual practice of reading has a direct tendency to alter the balance of the primitive impelling forces, by altering their relations with external nature. By enlightening the mind concerning the properties of natural substances, and respecting the catenation and causation of moral contingencies and combinations, it liberates the machine from the capricious tyranny of individual passions, and begets an habit of acting upon more general views, and upon remoter calculations. By the infinite variety of impressions which it fixes in the memory, it prevents the too great excitation of any one stimulus, and regulates the whole movements of the animal to a more perfect harmony. Thus it contributes to diminish personal idiosyncracies, and to render men more national, or rather more human in their character; and it may be considered as a power successfully opposed to variety of organization, and of temperament, and to all

the peculiar and exceptional accidents of life. By employing time otherwise devoted to *ennui* or to excess, it is hostile alike to the unbridled impulses of the senses,* and to those heavier crimes which are perpetrated at the instigation of an intellect that preys on itself; while it removes the individual from the first causes of those trains of imprudent and immoral actions, which, when they have become habitual, vitiate the natural balance of tendencies, and place the subject in a physical incapacity for virtue and for happiness.

The constant and gentle excitation produced by the habit of reading, keeps the intellect in a state of preternatural orgasm; developing in a proportionate degree the sensibility of the nerves; while the sedentary life, it implies, diminishes the muscular force, and occasions a considerable alteration in the balance of these two systems; a circumstance which, when confined within certain bounds, must be considered as an improvement in the animal economy.

The predominance of the muscular, over the cerebral organs operates a decisive difference of character among nations and individuals. When the schoolboy deserts his books for his cricket-bat, or the young student neglects his university duties for the chace, their conduct is designated as idle; because their exertions, having no tendency to forward the views for which they are subjected to

* In our own times, a taste for reading has very considerably broken up the pernicious habit of drinking and vulgar debauchery, of which our nation was, until then, most justly charged.

literary discipline, they are unprofitable and inconsequent. Such dispositions, however, are the very reverse of idle ; being occasioned by the activity of organs, over which the will has but little control. The restless impatience of confinement, the irritative movements of *ennui*, and the frequent change of position, which accompany the forced studies of persons thus organized, are very different from the drowsy, indolent lounging of dull and feeble temperaments, when compelled to exertions above their constitutional powers, and for which they have no positive volitions.

There is no part of the economy more under the dominion of habit than the muscular system. A few years of hard labour will enlarge particular muscles in an inordinate degree, and a short succession of generations removed from the necessity to labour, will occasion a diminution of the muscles of the arms and thighs, a narrowing of the volume of the thorax by the inactivity of its muscles, and a general indisposition, mental as well as bodily, for locomotive exertion. This circumstance begets a necessity for frequent intermarriages between the different ranks of society, to prevent the formation of imperfect and vitiated temperaments ; and to infuse life, health, and vigour in races, which society has cursed with a total exemption from those exertions that are no less necessary to bodily perfection than to real happiness.

The predominance of the muscular system is the characteristic of savage tribes ; that of the cerebral system is the prerogative of civilized man : in

promoting the latter condition, the printing press not only operates morally, by affording the means of instruction, but physically, by increasing the organic aptitude to mental culture. The perfection, however, of our nature consists in the *mens sana in corpore sano* ; in the proportionate action of our faculties, moral and physical. The operation, therefore of those causes, that in civil life tend to excite the mind, at the expense of the frame by which it is supported, are essentially vicious. The cultivation of all the faculties cannot indeed be carried to perfection in the same individual ; and the hunting savage must ever possess stronger limbs, and acuter senses, than the civilized citizen : but the dwindled and distorted skeleton, the disproportionate head and myopic eye of the inhabitants of great cities, are by no means essential to civilized habits, and might be prevented by a moderate attention to gymnastics, as a part of public education.

In a well organized state, six or eight hours in the day are enough for business, or for education ; and the rest might usefully be expended in learning the use of arms, and other healthy exercises, calculated to give vigour to the body, and energy to the mind, in the moment of actual business. Man was not destined to be a mere living loom, or beast of burden ; and every system which condemns the people to incessant labours in manufactories and workshops, is fundamentally wrong. Neither does this observation apply merely to the lower walks of life. The excitement of the cerebral system, which accom-

panies the labours of professional men, becomes fully as pernicious, when they are forced upon excessive and overwhelming exertions ; of which there exists a particular instance, rendered interesting by the losses it has, within a few years, occasioned to society. I allude to the disposition to suicide, which excessive mental application appears to occasion.

The causes of suicide are two-fold. Great occasional excitements operating upon an healthy organization ; and a slight accidental excitement acting upon a brain habitually overworked, and thereby forced into a state of orgasm, not, perhaps, very far removed from chronic inflammation. Instances will readily occur to the reader's memory of persons of high endowments, and the strongest mental powers, whose feelings have been overpowered by circumstances, which would not have affected much less valuable members of society ; persons in whom self-destruction can only be accounted for by a diseased condition of the brain, brought on by the excess of their mental occupations ; which, though it interrupts not the ordinary functions of the frame, is incompatible with an healthy action under any extraordinary excitement. This is not the place for enlarging on the ideas which here suggest themselves : it is sufficient to notice the fact, and to draw from it the moral inference of a necessary attention to harmony and moderation, even in those faculties whose exercise is most essential to our happiness.

The influence of printing upon the moral con-

dition of the people, is by no means confined to the works which tend directly to inculcate moral notions, or, on the contrary, to corrupt the reader. In the first place, by raising generally the intelligence of the animal, it increases his powers, renders his labour more effectual, and consequently increases his means. The superior ease and comfort which is thus introduced into life, is the most powerful instrument of national morality : a fact which cannot be too frequently brought into view. Man, with all his boast of reason, is most effectually moved by his affections and passions ; and the direct effect of an abundant supply of the first necessities, obtained by moderate labour, is to exalt the former, and regulate the latter.

There exists somewhere in print, an account strikingly illustrative of the influence of circumstances upon the natural sympathies, of which the following is a brief abstract : Two friends, in passing through the woods of America, lost their way. After some days of unavailing efforts to extricate themselves want and despair approached with rapid strides. In proportion as their hopes faded, and hunger pressed, their habitual affection cooled and died away. Mutual upbraidings and bickerings were gradually exchanged for a gloomy sulkiness ; and the two friends finally sat apart from each other, indulging the most rancorous feelings of hate, which continued increasing, till hope, in some shape or other, again presented itself to their imagination, and a new effort extricated them from their danger. With the return of safety, their hos-

tile feelings subsided, and were only remembered as a curious phenomenon worthy to be recorded.

The art of printing, then, which increases the productive power of labour in general, tends, in so much, to increase morality: and here it may be observed, that this increase of power is not merely comparative. It has been argued that education is only advantageous to the labourer, in as far as it raises him above his neighbour, and enables him to find a readier market for his exertions: and hence it has been concluded, that to educate one individual gratuitously, is to injure the rest of his equals, by giving him a sort of exclusive privilege, to which none are entitled but those who have earned it by their own industry. This argument, however, depends upon a false view of the subject. Education is not only a comparative but a positive benefit. If all mankind could read and write, all would be rendered happier; just as if nature by a sudden action doubled the physical forces of the animal, without increasing its necessities for labour. Every diffusion of knowledge is, therefore, a public benefit. So closely, indeed, are education and worldly prosperity connected, that when unfortunate combinations prevent the free exercise of the labourer's faculties, or absorb the products of his labours in undue rents, tithes or taxes, education is no longer an object of desire: all efforts to give it gratuitously are vain: few condescend to accept the gift, and fewer still profit by it when obtained. With the loss of education, and of a sufficient ease, the poor rapidly become corrupted;

and whether their vices take the aspect of licentious and savage violence, as in the south of Ireland, or assume the form of idleness, drunkenness, prostitution and dishonesty, as in the great cities of England, the effects are equally deplorable, equally miserable to the lower classes, and injurious to the peace and happiness of the entire community.

But the greatest advantage derived from an extensive diffusion of education and multiplication of books, lies in the principle of equality they tend to establish. If all were capable of inquiring into human interests, there could not long remain any superiority among men, save that of talent and of industry. Under such circumstances, no one could hope to maintain a surreptitious influence, and multiply his means by dupery and deception. The insolent claim of particular classes to dictate a faith, or to exact obedience, independently of reason, or contrary to the general interests of society, would be encountered with punishment or derision: nor would an enlightened population omit any occasion for breaking down a forcible combination of the *soi-disant* privileged classes,—should such exist, and have possessed itself of the public liberties. For without liberty there can be no public virtue, no public prosperity, no national happiness.* Priests may cant, magistrates

* Ἡμῖσι γὰρ τ' ἀρετῆς ἀποαίνυται εὐρύοπα Ζεὺς
Ἀνέρος ἔϋτ' ἂν μιν κατὰ δέλιον ἦμαρ ἔλθῃσιν.

Odyss. P. 322.

It is sufficient to notice the universal corruption of morals which subsists in our colonies, where slavery is established; an

may threaten, conscientious persons may preach the gospel of Christ, and benevolent men may practise its charitable precepts; but the mass of mankind must submit to the necessities of circumstance, and become licentious, whenever they are restrained from the wholesome exercise of their natural faculties.

Of this influence of the press mankind are sufficiently aware; and all those who would live without labour or capital, or secure to themselves the disposal of the public purse and public power, have even an instinctive dread of this their most formidable enemy. Wherever the press is unrestrained, the efforts of this class of persons must be increased, and their hopes of success lessened. There the lie must be more hardily asserted, the fraud more assiduously practised; there every avenue to persuasion must be guarded night and day; superstition must assume the garb of reason, and assertion clothe itself in the externals of argument. The statesman must seem at least honest and wise; and the preacher of humility and temperance must conceal his own pride, and purchase his indulgences at the expense of hypocrisy. Hence, the implacable war that is urged against the press, in all communities where a full and free representation of the people does not exist; and where interests, by consequence, are suffered to grow up and to consolidate themselves in op-

an institution which vitiates whatever comes within the sphere of its influence, and repays injustice and cruelty, by disseminating immorality, and exhausting the national resources.

position to the public good. Where these interests are possessed of the physical strength of the nation, the press is restrained by barefaced violence; and an emperor may have the folly or the insolence to declare his open hostility to science; or a more besotted king forbid his subjects even to think on particular subjects. But where the public has yet a voice in the management of its own affairs, force must be supplied by fraud, and no pretence is deemed too sophistical to be employed in restraining the intellect. The clergy accuse their opponents of blasphemy (an imaginary and impossible offence*); the magistrate advances an outcry of sedition, and a prerogative lawyer (the most odious reptile that ever was suffered to defile the sanctuary of liberty, while it undermines its foundations) is constantly at hand to shackle the press, and to persecute the advocate of truth, upon a pretence more false than language can give out, and which no authority, no prescription, no positive statute, can make law, according to any possible code, but the law of the strongest.

Deceptions, however, such as these, cannot be permanently effectual; the mask must in the long run be torn off; and piety the most aptly simulated, and virtue the most adroitly counterfeited, will at length fail to deceive. The conspirators against public liberty will cease to find concealment in the ranks of worth and integrity; the slowest capacities will learn to apply the test of visible interests, and a trading loyalist will become

* *Deorum injuriæ diis cura.*

as contemptible as a strolling mountebank, an astrologer, or an alchymist.

Without pausing to examine in a greater detail the remoter and more indirect influence of the press upon human happiness, it may be sufficient to remark, that in proportion as knowledge becomes vested in the people, it must, in spite of the strongest institutions, bring corresponding changes in the distribution of the national force. The same system of civil polity which may suffice to govern a horde of ignorant savages, will not meet the necessities of an enlightened and intellectual race; and with the dissemination of instruction, there must necessarily arise an extension of rights. Thus it may be remarked in the present French government, that though its *nisus* is decidedly to abridge public liberty, and though the king is both by circumstance and by natural disposition more hostile to democracy than his unfortunate predecessor and relation, yet he has hitherto been compelled to refrain from violating the rights of his subjects, to a greater extent than any French monarch since the days of Henry IV.,—merely because the people are more generally instructed and civilized. Whenever this truth is overlooked or disregarded, and a nation is ruled by authorities less enlightened than the mass of the people, there will be found a danger of revolution, in the exact proportion of the difference which subsists between the governors and the governed.

As civilization advances, as the empire of mind becomes more extended and confirmed, the in-

fluence of accidental causes upon moral and intellectual phenomena is less direct and immediate. Yet within the course of the last age, an agent has arisen which has impressed no inconsiderable modification on social existence, and which will probably influence the destinies of Europe to a remote posterity—I allude to the public debt.*

IF the immediate consequences of this mode of raising money be alone considered, and account be taken merely of the changes it has effected in the general position of entire nations, it will readily be granted that its influence is of no trifling importance. The development of industry which it has occasioned, on the one hand, and of martial power on the other, cannot fail to have affected most extensively the moral habits of the population; while the waste of property it has produced, and the losses it has occasioned, by sudden and capricious transfers of trade, though beneficial in particular instances, must have operated generally to impede the march of civilization in Europe. Without this left arm of despotism, neither the American nor the French revolution could have experienced the resistance they encountered; the gi-

* A public debt, being a social relation, and not the result of any new discovery in the physical world, the placing it in this chapter may be made matter of cavil. In its essence, however, it is the application of paper to serve the purposes of a metallic currency; and as it influences the distribution of wealth, and affects the position of man in the relation of his wants to his means, it belongs much more properly to this part of the subject, than to that of moral causes and combinations.

gantic power of Napoleon would neither have been nurtured into maturity by ill-timed opposition, nor would it finally have been overthrown to make room for less intellectual combinations. The whole continent of Europe, from the Tagus to the Moskva, would not have been overrun by destructive armies, disseminating want, misery, and lawless propensities. Governments would not have been overthrown, nor nations parcelled; nor would humanity have been insulted by calculations of *âmes* and *demi-âmes*. On the other hand, however, the same shock would not have been given to opinions, nor the same blow struck at overweening pretensions. If human feelings and human interests have been trodden under foot by ambitious conquerors, the reaction of mind has been proportionately extensive; and if the world is more generally oppressed, it is more generally on the alert to overthrow oppression.

But if, from these more disputed points, the attention turns to the interior domestic operation of the funding system, the consequences will be found no less considerable. Had the system of borrowing money for public purposes been confined, as it should have been, to a mortgage of the property of the country, little more would have occurred than a transfer of that property from the hands of the borrowers, into those of the persons who had advanced their capital. For, in paying interest to the amount of the revenue of an acre, the proprietor is placed in the same condition as if he had simply sold that acre (redemption in this

case being nearly out of the question). That this should in justice have been the mode of borrowing, cannot be doubted. The owners of property have the right of spending it as they please : in gun-powder and cannon, as well as in race-horses and pine-apples ; and this without any injustice to posterity. There is, it is true, a moral obligation not to dilapidate the social stock derived from our predecessors ; but rather, as we have received great advantages from our ancestors, to remit to our children a political and economical inheritance, improved by our own exertions. This obligation is, however, too abstracted to bring into practical considerations, and to oppose to the interests and prejudices which every moment produces.

The lending of money, reduced to its simplest elements, is merely the lending a given quantity of produce, to be consumed by the persons employed by the borrower, during the time they are occupied in labouring to carry into effect the purposes for which the money is wanted. The money borrowed by government may be considered as ultimately expended in supporting, feeding, and clothing the labourers (engaged in fabricating arms and ammunition, and in employing them against the enemy,) clerks in office, and the other servants of the state, to whom the money so raised is paid.

In order that this transaction should be real, it is necessary that the money borrowed should be in existence ; that value should really be given for the articles so consumed. A promissory note is no payment ; that is to say, it is no representative

of a value realized. He who borrows a promissory note, does not borrow value. While loans are real, money can only be borrowed as long as money's worth is in the market to lend : in other words, the state in borrowing can only consume that excess of the means over the wants of the community, which is embraced under the term, disposable capital : and though this, to any extent, would be sufficiently grievous to a rising population, the very weight of the burden would set bounds to the operation. But when a government loses sight of this principle, and by suffering an issue of paper, not payable in metallic currency, is enabled to borrow more than there really is to lend in the market, it in fact borrows labour yet to do.* These paper issues are said to represent the fixed capital of the nation, the farms, ships, manufactures, &c. ; but these have no real value, except that which they will receive from labour hereafter done, through their instrumentality.

To this mode of borrowing there are scarcely any bounds, except those of the absolute productive powers of the nation ; and the interest of the money so raised may insensibly be brought to amount to more than the whole annual value of

* This, expressed in the current language of the day, signifies that population is stimulated to increase by a capital which is yet to be created. There is a demand for labour beyond the means actually in existence for supporting it ; and as this labour is wholly non-productive (as far as natural riches are concerned), the process cannot be carried very far without creating great distress.

the fixed capital of the country. Long, however, before this arrives, the burden will be shifted, by duties on articles of primary necessity, from landlords and capitalists upon the labouring classes; and the children of industry (rendered from their cradles the slaves of the public creditors) will be destined to raise the products necessary for the fundholders' support, before they are permitted to enjoy themselves any part of the fruits of their own exertions. Such a debt is no mortgage on the accumulated capital of the community, but on the blood and sweat of posterity to the last generation.

Besides the absurdity and injustice of this, there is a still deeper deception arising from the mode in which the money is expended. For the fictitious currency thus thrown into circulation, giving employment to a vast number of new hands, creates an appearance of prosperity to the nation, from the very circumstance that is working its ruin.

The expenses of war being all a mere waste, it is evident that every time a given portion of the circulating medium passes through the hands of government, to be employed in such purposes, a portion of labour, equal to that sum, is blown into the air and annihilated.

Now had this money been raised by taxation within the year, the loss would have been realized, and consequently *felt*. But when the money is borrowed, and the debt funded, the sum reappears in the disguise of capital, and is acted upon as if it really were capital. The fundholder consumes and

lives away exactly as if the sum which stands against his name in the Bank-books were employed in productive operations of trade and agriculture, instead of being, as it really is, a minus quantity. The paper-money, indeed, returns into circulation, but a quantity of realized labour is consumed, a quantity of capital is expended, which not only does not reappear to feed fresh labour, but diminishes from the productiveness of other capital, in the direct ratio of the amount of interest raised for the payment of the public creditor : and herein lies the fallacy of the assertion, that money raised and expended at home does not occasion a loss to the public ; but changes hands merely, and in the transfer supports many industrious workmen. The contrary is the fact : for the money thus spent might, in the view of profit and loss, as well have been given away to idlers, or spent by the taxpayers in riot and excess. In every such circulation of money a quantity of labour is, indeed, performed ; but it is a labour that contributes nothing to the stock of national possessions, while it calls into existence a non-productive population which could not otherwise be created.

Under these circumstances, the act of borrowing is the mere transfer of bits of paper from one party to another. No society could afford to withdraw in reality such large sums annually from its commercial and agricultural operations, and maintain its population ; whereas a war population is usually an increasing one. It follows, therefore, that the whole transaction is illusive ; that it could not take place

without tampering with the circulating medium,—that is, without an increase of that medium by the issue of paper, which does not represent the whole sums expressed upon the face of the documents.

There is, then, in this respect, a great difference between the operations of a government and a private merchant in borrowing money. In both cases the lender consumes as if his money were in his own command, and feeding his own industry; but while the merchant-borrower, by his commercial exertions, really creates as much produce as supplies the consumption of himself and the capitalist also,—replacing every farthing of the capital at the year's end; the government-borrower, like an unthrift minor, wastes the capital itself, and makes, absolutely, no return of produce, either for its own or the lender's consumption. The national debt thus becomes, not an expression of capital sunk and destroyed merely, but an expression of the capital which it is required to create, in order duly to support the existing population; the interest being equivalent to the support of the entire number of labourers employed in raising the produce consumed by the fundholder, during the time they are so occupied. These people, are in fact, labouring for nothing; and in order that they may subsist at all, their support is taken from the whole proceeds of the labour of the country at large: that is, the labouring part of the community consumes, each and every one, so much the less. Now, had this change arisen in *bond fide* transfers

of real property, the force of circumstances (I repeat) would have kept the debt within reasonable bounds ; but the transaction becoming nominal, and consisting really in the transfer of promissory notes drawn upon posterity, *i. e.* of notes of a fictitious value, the process has no necessary limits, but might be continued to the utter ruin of the community. In this state of things, one, of two frauds, is committed: either the labourer, losing the half of his labour in taxation, is defrauded by a nominal rate of wages, or the people, weary of suffering, throw off the load, and, by an act of bankruptcy, subject the creditor to the entire loss sustained by the nation in this extravagant expenditure.

This view of the debt explains sufficiently the difficulties attending the return to cash payments, which was the realizing of our losses, and the abstraction of so much capital from trade, as makes good the difference between the real and the apparent value of money ; an abstraction that would have utterly sunk a nation less industrious, and less parsimonious than our own.

That the tax thus laid upon posterity of supplying the consumption of so large a body as the fundholders for nothing (for the capital they are supposed to possess is an unreal mockery), is impolitic, wasteful, and injurious, no one will deny ; that it is unjust and iniquitous is no less clear. It must freely be admitted, that in a war which affected the existence of a nation, the labourer is as much interested in its issue as the man of property, and bound equally to contribute to

the protection of the community ; but then, as the labourer has no capital, and nothing but his labour to subsist upon, every contribution he makes should be calculated with the greatest nicety. His little fund should be reserved as the last to be touched ; because what is taken from him is an abatement from the supply of the first necessities of life ; while the rich only contribute superfluities. Few people really eat and drink less, or are clothed less warmly in consequence of taxation, except the mere labourer ; while every tax he pays, is a positive diminution from his physical comfort in these particulars. The labourer, therefore, has a double claim to a voice in the management of public affairs. As things are, however, managed, property affects an exclusive right to legislate, and to vote away the public money ; and, in point of fact, it exclusively enjoys that right.— In point of fact, likewise, England has never been engaged in a war, for its national existence, since the time of Elizabeth, except during the short invasions of the pretenders of the Stuart family.

It may likewise be admitted that labour is so dependent on capital, that neither is totally indifferent to the other ; but as the obligation is wholly on the side of labour, and the enjoyment on that of capital, there is great injustice in saddling the industry of posterity with two races of consumers, under the pretence of a rent-charge on its contingent advantages in the succession.

The wars of modern times, it must however be repeated, have been any thing but just, or neces-

sary ; and in wars of cabinet intrigue, or regal pretence, the people have no interest. The war of the French revolution, the cause of so much profligate expenditure, was a war *upon* the people, a war against the labouring classes, a war to bow the neck of virtue and honest industry to the yoke of a privileged and insolent few ; a war commenced in injustice, continued in deceit, and terminated (if it be terminated) in the prostration of humanity itself, at the feet of half-a-dozen standing armies.

The consequences of the tax thus laid upon the industry of posterity, are regulated by the proportion which the debt bears to the resources of the nation. In England, that proportion has been sufficiently high to have utterly falsified the position of the several classes of the community, and that of the entire country, with the rest of Europe. It has broken down and destroyed that golden chain of connection, which united the highest members of society to the lowest, by gradations of rank, too fine and evanescent almost for perception ; and which bound the whole nation in a community of interest, of feelings, and of desires. It has annihilated the class of yeomen ; it has sunk the small trader to ruin, and enriched the great dealer to corruption ; it has made the merchant a gambler, the farmer a speculator ; it has depopulated the country and crowded the towns ; it has emptied the fields to fill the workhouse. The consequences are obvious, in the increase of ignorance, in the multiplication of poverty, and therefore of

crime ; in an uncertainty in the reward of labour, more pernicious even than its depreciation ; in a proportionate difficulty in establishing families ; in a licentiousness in the intercourse of the sexes, and in a subversion of nearly all the moral habits of the nation. Thus personal depravity, and national insecurity go hand in hand ; and this it is that justifies us in qualifying particular governments as good or bad. If corrupt and feeble administrations affected not private happiness and individual virtue ; if a necessary causation did not connect public profligacy with private ruin, government would be no matter of public concern, and the people would indeed have “ nothing to do with the laws but to obey them.” But as this connection is real, intimate, and immediate, it is the duty of every man who feels for his species, or loves virtue, to watch, with a jealous eye, the operations of state ; and he is the worst of hypocrites, the most contemptible of pretenders, who affects to meddle with the concerns of individuals, who strives to interfere with the domestic interior of the poor, in order to regulate their religious duties, and compel them to moral practices, if he neglects the great sources of national morality, and pursues all those who would stem the tide of corruption, which is bearing away even the possibility of productive industry, and thereby removes the greatest incitement to regular and wholesome habits.

There is one other consequence of a large public debt, less open to dispute ; being admitted alike by the friends and the enemies of that encum-

brance; and this is the gambling which it introduces, and almost legitimates in society.* The shop-keeper, who would shrink from being seen at an hazard table, staking his half-crown on the chance of the dice, walks boldly, in the face of day, into Change Alley, to place upon the tongue of rumour more than the entire of his property. What, to such a man, are the petty profits of retail trade? The arrival of a courier may produce for him by a “*lucky hit*” more than ten times his annual gains in business. If he wins, the unearned money proves an incitement only to unwonted luxury and ruinous dissipation:—if he loses, a pistol, or a commission of bankruptcy, must settle the account.

Nor is this all. The spirit of gaming, thus introduced into trade, does not confine itself to the one channel. It finds its way also into the commerce of grain, of sugar, and of every other article which monopoly can govern, or accident affect; and merchants, no longer contented with a marketable profit, look only to the returns which can be made by manœuvre and dexterity.† In all this there is no personal depravity, no individual perversity. It is the irresistible force of circum-

* This must evidently increase with the increase of the debt, and of the number of persons legitimately employed in the transfer of stock, or otherwise lawfully interested in the fluctuations of the market.

† “The spirit of commerce is not yet extinguished by that of stock-jobbing; though the spirit of stock-jobbing be to that of trade what the spirit of faction is to that of liberty.”

Oldcastle's Remarks on the Hist. of England.

stances which determines the march of events. Men will go, and ever must go, in pursuit of wealth, wherever the sources of profit lie open to their apprehension. The object of all mankind is to make their labour as profitable as possible, and to avail themselves of their skill, to abridge their corporal exertions : and it is too much to suppose that those, whose existence depends on their daily industry, can look into the remote combinations of circumstance, or view the relations of their trade with the eye of a philosopher. As well might we censure the dealer in fire-arms or gunpowder for the robberies or assassinations of which his trade is the instrument ; or make the tavern-keeper answerable for the excesses of his customers.

Within our own times, public credit has taken a new form, in the restriction of cash payments, or issue of bills not transferrable into metallic currency, on the faith of an Act of Parliament. The fatal consequences of this desperate measure in its immediate action on trade, independently of its operation on public credit, are too intimately felt by every member of the community, to render any illustration in these pages necessary ; even had the subject not received the full benefit of legislative discussion in an assembly, of which it is not safe to say more than that its wisdom and exemption from private interests seem on a perfect equality. The influence of this measure upon morals, though less obviously on the surface, is neither less extensive nor less important. Of all the

causes which betray large communities into moral depravity, there are, perhaps, none more fatally corrupting, than those which occasion sudden and frequent changes in the private fortunes of the citizen; and since the bursting of the memorable South Sea Bubble, nothing comparable in its effects upon property, with the measure of the Cash Restriction Act, has occurred to disturb the tranquillity, and subvert the morals of Englishmen.

This measure, comparable in its honesty with that truly royal fraud, the debasing the metallic currency, has been infinitely more mischievous; because in the latter case, the degree in which coin may have been depreciated is easily assigned, and consequently may be immediately acted upon by the whole community. In the former case, the depreciation was fluctuating and perceptible only in its remoter consequences: thus, it opened a door to a thousand forms of deception, tempting alike by the enormity of the profit, and the difficulty of detection.

Without, however, regarding those transactions which involve immediate dishonesty, such as forgery, kite-flying, &c.; it is sufficient for our present purpose to look at the remoter effects of the sudden dislocation of society it occasioned.

With the first dissemination of a paper money not transferrable into coin at the pleasure of the holder, commenced the unbounded issue of private bankers' notes; and with these began those operations of trade, which converted the farmer and the miller into monopolists, and enabled every petty

tradesman to extend his business to two or three times the amount of his real capital. The facilities thus opened to commerce were too seducing for even ordinary tempers to resist; and men of sanguine character embarked in the most wild and chimerical schemes for advancing their fortunes. The circumstances of the war favoured such speculations; and the *nouveaux riches*, instead of a few lucky individuals, became a large and influential class of society, aping the manners, and exceeding the vices and extravagance of the landed aristocracy. The ease with which money was obtained upon almost any security, and the great profits derived from our sudden possession of the entire trade of Europe, not only tempted the merchant into remote and hazardous adventures, but brought him from the beginning to live, as if the profits were already realized: and instances might be quoted, in which banking-houses, with every appearance of opulence, have gone on from expedient to expedient, in possession of the public money, for more than twenty years, without having been at any one moment of the time, in the capability of discharging their obligations. The vices and absurdities introduced during this epoch of illusory prosperity belong to the dramatist and novel writer; and they have been too frequently displayed for public amusement, to admit of recapitulation in these pages. The consequence of the necessary reaction which ensued, are of a far different importance, more fatal, more corrupting, and more irreparable.

The ultimate tendency of this hot-bed system of trading and manufacture, was to overstock all the markets of the known world ; and to such an extent was this carried, that English manufactured goods were sold in South America at prices below those at which they were originally made. Ruin, extensive and sudden as the previous prosperity, fell upon those who had thus embarked their improperly acquired money. Fresh sums were borrowed, to retrieve losses by fresh adventures ; and these, in proportion as they were more desperate, were more deeply ruinous. Then began a system of extensive bankruptcies, fraudulent conveyances ; and every art of chicane, of legal and commercial dexterity was employed to preserve a swelling exterior, and to procure a continuance of those luxuries to which the trader had so recently become accustomed. Nor were capital crimes wanting, whose frequency added a new feature of horror to the misery of the times.

In proportion as these events were going forward, the value of the currency became more and more distant from its nominal import, and all the relations of debtor and creditor, landlord and tenant, grantor and grantee, became altered and confused ; thus, while the wages of labour were either stationary, or advanced slowly and disproportionately, the prices of articles of first-rate necessity mounted with an appalling rapidity. Instead of an open and fair endeavour to meet this rise with a proportionate advance of wages, which, in detecting the evil would have set some bounds to its increase,

the employers, alarmed at the consequences staring them in the face, took shelter in the fallacious and pitiful expedient of increasing the poor rates. The immediate operation of this wretched tax, whenever it ceases to relieve merely the accidents of life, and becomes an efficient part of the great system of internal economy, is to loosen all the sympathies of society; to beget a total oblivion of every principle of manliness and independence; to slacken industry; to promote dissipation, and to hurry on population faster than the demand for labour; and, in one word, to convert an active and industrious people into a band of half-starved egoists, struggling for existence, snatching with a convulsive grasp at whatever promises a momentary enjoyment, looking anxiously for change, and alike reckless of a character, that no longer purchases distinction, and of a life that is but a prolongation of misery.

As soon as the change in commercial relations, following up the glut in all the markets, or (to use that vastly convenient phrase meant to cover all faults, and baffle all inquiry), "as soon as a transition from war to peace," gave a sudden check to manufacturing industry, all these evils increased in an overwhelming degree. The starving and unemployed poor became desperate, and crimes multiplied to a frightful extent. Even these, however, are but an insufficient measure of the degradation, vice, and disorganizing bad habits of the community, in which they were committed. Pecuniary losses may be made good by new exertions,

and national misfortune repaired by returning prosperity; but the morals of a people thus destroyed, require a long lapse of generations to be retrieved.

Amidst so many occasions of daily increasing immorality, all proceeding from one great cause, nothing can be more futile, weak, and childish, than to hope for efficacy, either from constancy of admonition, or severity of punishment. It is perfectly vain to advise honesty and industry to those, to whom it will not procure respect and a sufficient livelihood; it is idle to inflict privations, or even death itself, when privation and death are no less the concomitants of abstinence from crime. At the back, however, of such efforts there was to be traced a palpable endeavour to force the people to be superstitiously religious; but, setting aside the obvious consequence of too close an insight into the motives of such an attempt, and the conviction that religious humility was inculcated to obtain political submission, the inadequacy of such a substitute for the real bases of morality is abundantly obvious.

In the order of nature, God has given a precdency to this world over the other; by rendering an attention to its interests of momentary necessity, to prevent the race from starving. The motives for good conduct he has placed implicitly in the laws of nature; and if to strengthen their obligation he has deigned to add the sanction of future rewards and punishments, that sanction is still supplementary and secondary. Accordingly, the desire of future happiness is the strongest amongst those who have the least cause to be anxious con-

cerning their well being in this world ; and though the extreme poor may be fanatised to persecute, or be misled into a blind submission to rites and practices, they can never be kept within the line of their moral duties, except when their industry is unshackled by restrictions, and encouraged by an adequate remuneration. There is an inconsistency so glaring in the conduct of a large class in society, as to subject their actions, with great justice, to the most odious imputations. These men, bustling and busy in charitable and religious associations (not to say in others of a more questionable character), are for ever declaiming against the faults of the people ; yet they most pertinaciously uphold those individuals, and their measures, which have made the people what they are. They profess to will the end, but oppose themselves to the means by which that end can alone be affected ; *soi-disant* friends to virtue, they are hostile to liberty ; preachers of industry, sobriety, and religious order, they forward every scheme for taxing labour, and placing the poor beyond the pale of self-respect ; they pretend that they would exalt the man, while they depress the citizen ; and they exact the most, precisely at the moment when they remove the last incentives to acquiescence and obedience.

It is not necessary to carry further a review of the physical causes which influence the progress of moral and social development ; a sufficient number of points having been noticed, to prove that very few changes can take place in the

physical condition of nations, without making some difference in their morality. Other minor influences might be instanced, such as the discovery of the art of distilling, the habitual use of opium among the Turks, the operation of geographical position in determining particular modes of national activity, &c. &c. But the object of the present publication is not to exhaust the subject, but rather to stimulate curiosity, and to induce others to pursue the same line of reflection.

It may seem to many persons, that the subjects incidentally noticed in this chapter, have little reference to the general scope, and end of the entire book ; but before they indulge in such a reflexion, it is hoped that they will have looked for the associations which connect the several parts of the work, in the work itself. Man is so entirely a creature of relation, that nothing is unimportant to him. If the movements of the remotest star that glitters in the heavens affect those of our earth, assist in determining its position in space, its climate, its productions, and thus influence the lot of man, who is the creature of these circumstances ; what combinations subsisting upon the surface of the earth, or developing themselves in the bosom of society can be deemed wholly indifferent to his conduct, and without power over his well-being and happiness !

CHAP. V.

OF THE INFLUENCE OF INSTITUTIONS ON MORALITY.

Οὐδείς ποτε ἀνθρώπων ἔδεν νομοθέτι, τύχαιτε καὶ ξυμφοῖρα
παντοίαι, πιπτεσθαι πανταίῳς, νομοθέτησι τὰ παντὶ ἡμῖν.

Plato, Dial.

IN comparison with the operation of the great material agents which have been noticed in the preceding chapter, the influence of moral combinations upon individual conduct is feeble and secondary. Yet have these combinations not unnaturally attracted, in a greater degree, the attention of writers; because, with respect to them, the connection of cause and effect is more apparent and obvious, and because moral causation affords a plausible means of controlling the conduct of the many, which requires no sacrifice on the part of the few. Submission, patience, industry, and frugality, (Burke's *beau idéal* of the life of a labourer) may be preached in conjunction with overgrown poor houses and excessive taxation; but to render the lower classes moral, by improving their physical condition, demands virtue and talent of a higher

order than the actual education of the privileged classes brings to the operation. The influence of things, indeed, is so fixed and arbitrary, that any attempt to modify their action, seems, to the narrow apprehensions of egoism, as Utopian as to change the course of nature itself; whereas opinions and institutions, being subject to perpetual change, carry with them a greater air (if the phrase may be allowed) of malleability, and men become persuaded, that they are placed more within their dominion and control.

The preceding chapter has, however, shewn that there are certain physical elements, essentially necessary to all moral combinations; as operating either immediately upon the institution itself, or remotely, through its necessary moral precursors. Although, therefore, the education or moral development of man be derived from the mutual action of the individuals upon each other, yet is this action itself determined by external circumstances, through their connection with our wants and faculties, and their consequent influence in determining volitions.

Institutions, in fact, are but the expressions of the will, either of the community at large, or of those that have seized themselves of its force; and these volitions, like those of an individual, are necessarily determined by the circumstances of the party from whom they proceed. The merit of any such combination is its correspondence and harmony with the necessities of the people for whom it is framed. Institutions, therefore, which

arise from the force of things, and are on that account, in a necessary harmony with the society in which they originate, are more perfect and more durable, than those which result from the force of persons. It is on this account that the British constitution has subsisted for so long a period, in spite of its enormous theoretical faults ; while the several forms of government hit off in the short progress of the French revolution, all fell to the ground : for, however masterly may be the mind, and comprehensive the views of philosophers, they must ever fall very far short of embracing all the springs and levers by which society is put into motion ; and in this, as in all other cases, nature must work better than art.

This is the solitary argument, having any foundation and solidity, upon which the Tories have relied, in their attempts to decry reform ; and this argument recoils in a highly multiplied force on themselves. For it is the resistance which arbitrary governments afford to the force of things, that calls forth strong volition in nations (rendering revolutions not only just and expedient, but necessary and inevitable), and compels the people to innovate beyond their intelligence, in order to effect ends, that the preceding generations might have attained imperceptibly, had not a few partial interests superseded the public good.* If, in

* This point is admirably argued in Bacon's short Essay on Innovations. The sophistry employed by the opponents of reform is the common and trite argument from abuse. Because hasty reforms, which consider neither opinions, prejudi-

addition to this reflection, account be taken of all the misfortunes attendant upon revolutions, and which arise, not from the errors of innovators, but from the opposition they have encountered from perverse and interested enemies, the quantity of injury chargeable upon the people in such cases, is little indeed; and far less than can be noticed with any grace, by those, whose bad advice and worse conduct have been the more immediate causes of popular discontent and national reaction.

AN inquiry, which should have for its object to determine whether moral or physical causes were most influential upon human affairs, would fall far short of the discovery of their true relations; since the former are only proximate causes; be their energy, therefore, great or small, their action much or little, they are themselves but results of the remoter physical contingencies out of which they have arisen.

To take an example within every man's own observation: England, with all the virtue and high spirit of liberty which was long cherished among its inhabitants, could hardly have become the scene of religious reform, if placed nearer to the focus of

ces, nor occasions, which regard neither resistance nor practicability, are dangerous, therefore all reform is to be avoided. Theoretical and speculative reasoners may take the lead in shewing the necessity of reform; but it is the fault of practical men, if, by an ill-timed opposition to evident truths, they array public opinion so absolutely against themselves, as to lose their natural superiority in public assemblies.

Catholicism ; nor could it have been readily made the theatre of an independent and popular government, had it been placed, like the plains of Lombardy, within the influence of Spain, France, and Germany ; subdivided, like Italy, by mountains ; portioned out by great rivers ; and thus exposed in detail to the incursions of a Francis, or a Charles the Fifth. The position of Venice and of Holland were no less essential to the prosperity and permanence of liberty in those states.

Against this position it cannot be argued, that because liberty has existed among nations not similarly circumstanced, the situation is merely an accident. For few, if any causes, are sufficiently predominant, in political combinations, to determine the fate of nations, independently of all other influences. The most, therefore, that can be inferred of any cause, is that it produces a given result, where other circumstances are not hostile to its operation ; yet that cause may still remain a *sine qua non* in the given contingency.

Although every nation which has enjoyed civil liberty may not have been indebted for that blessing to a geographical insulation, they must all have been favoured, in their attempts at independence, by some physical circumstances : since the greatest efforts of volition must remain ineffectual, if not assisted by the means and instruments for realizing its intentions. Thus the political divisions of Italy, which were among the causes of the destruction of its independent republics, were, in the first instance, the means of protecting each

state against foreign aggression, and of giving it leisure to consolidate its infant institutions. In like manner the liberty of Rome, though the immediate consequence of the warlike ferocity of the people, derived more remotely from the difficulties they experienced in supporting themselves within their own bounds, which forced them to combat, and to feel their own strength.

INSTITUTIONS must either arise spontaneously in the interior of a society, or they must be brought from without. In the former case, they are pure reflections of the feelings and illumination of the public ; and the end they are intended to accomplish being that to which the people are of themselves impelled, they are to that people what an instrument is to a workman. But if such instruments be well constructed, they will not only respond aptly to the natural movements of the society, but will likewise confirm and strengthen the tendencies by which those are directed ; while, by their reaction on the national intellect, they will continue them, even when the external circumstances, from which they received their impulse, shall have been partially dissolved.

Under these circumstances, the efficacy of an institution will be considerable ; and it will appear to be much greater than it really is. The trial by jury has an unquestionable tendency to make men love justice, and to induce them to take a pride in administering its functions faithfully, and in maintaining the liberty by which it is supported ; but to a superficial glance it appears also to be a machine working by itself, and *causing* the whole

benefit observable in its operation. In the hands of bold and honest men it is, indeed, the most efficacious guarantee of both public and private liberty ; and its forms will throw difficulties in the way of tyranny, after the spirit to which it owes its efficacy shall have somewhat subsided. But let that spirit wholly evaporate, let the jurymen become corrupt, timid, factious, fanatical, or ignorant, and it will soon be evident how small is the real influence of the institution, and how much its operation depends upon the permanence of the causes in which it originated.

It is this truth that occasions the very limited durability of all such combinations. Institutions are the product of particular dispositions in men's minds ; and the flow of events is incessantly at work to change those dispositions ; giving birth to new physical combinations, which create new desires, new means, and new opinions. Hence events and doctrines seem to succeed each other in cycles, each of which, in its turn, occasions the institutions that are in harmony with it ; dissolving those which arose under different circumstances, and preparing the way for others which will be eliminated at a future epoch.

When an institution is introduced from without, whether by a conqueror, a missionary, or a tyrant, having the means of forcing the public will, its influence will depend altogether on its assimilation with the feelings of the people. If the physical circumstances of the nation be strongly opposed to the institution, it will not take root, nor bring

forth any fruit whatever. If, on the contrary, these circumstances favour it, it will gradually change the people's inclinations, and predispose them to accommodate themselves to its influence. Not unfrequently it happens, upon the introduction of a foreign institution, that the institution itself is modified; and though it continues formally to subsist, it may virtually be rejected: being so far changed, as no longer to correspond with its original intention.*

When an institution, originally accordant with the spirit of a nation, becomes no longer so, in consequence of a change in the condition and feelings of the people, it may act in a manner directly contrary to its original intention; first, by deceiving the people as to the nature of circumstances, and making them believe that because the form subsists, the end for which that form was established is still secured; or, secondly, through the changes which corruption may impress upon its operations and influence. When patriotism, for example, becomes extinct, the representative system is by corruption rendered a more efficient engine of tyranny, than avowed and unlimited despotism: and the privileges which strengthen a pure House of Commons against kingly usurpation, would become directly subversive of liberty, if entrusted to a band of

* Of the first of these conditions, the Anglo-Sicilian code may, perhaps, be regarded as an instance. The trial by jury in France, is an illustration of the second; and the third is most strikingly evidenced in the fortunes of Christianity, when entrusted to the keeping of an ambitious, intriguing, priesthood.

sharping conspirators, falsely styling themselves the representatives of the people.

From these considerations, it becomes evident that institutions, arising spontaneously, are merely concomitants, and not causes of the moral phenomena which they accompany; that institutions, brought from without, rarely operate great changes in the condition of a people, except when the people are ripe to receive them; and consequently that the changes thus impressed, would sooner or later have taken place without the interference of such a cause. Their influence, therefore, depends on their instrumentality, and is derived entirely from their fitness to give effect to a previous intention; an intention that is the necessary result of the peculiar circumstances in which the community is placed.

INSTITUTIONS may be divided into two classes, administrative and instructional: the former embracing all those social arrangements which regulate the conduct of a society; and the latter all that are contrived to modify its opinions.

The influence of administration upon morals exerts itself in various ways. A well arranged system of government furnishes in its details a vast number of architypal ideas, which fructify in the minds of the people; whereas a false and fraudulent combination tends to confuse the most elementary notions of right and wrong. Free forms of government being conducted in the face of day, and all their interests publicly discussed, there is developed in great clearness and precision among the

citizens of free states an immense number of moral conceptions, which, if they are at all known to the slaves of a despotic government, are perceived only in a confused and impracticable generality. The equal distribution of justice operates by a similar process in fixing in men's minds the limits of right and wrong; whereas privileges, jurisdictions for distinct ranks, punishments graduated according to the criminal's place in society, arbitrary fines, and sentences, and, above all, a vicious form of procedure, and habitual chicane, degrade and confound the moral sentiments of the people. There are, in all societies, immense numbers of individuals, who, from defective talent or education, or for want of time or circumstance to examine their own ideas, have no other measure of right and wrong, than that which is found in the laws of the country; and who think every thing proper to be done, which by them is permitted. For this reason, all arbitrary and conventional codes, however practically convenient in other respects, are dangerous to morality, by infusing false notions of the value of conduct. If the same punishment be enacted against two crimes, they naturally arrange themselves in the intellects of the uninstructed, as being of equal enormity; and thus the shooting a hare, or the smuggling a cask of spirits, may induce the criminal to venture upon really flagitious acts, because they expose him to no greater danger and disgrace, than those which he has already incurred. The influence of bad governments is thus at every turn brought to bear against the happi-

ness of the people ; and there are times and contingencies in which it becomes impossible for any class in the state to discharge its duties to society, and for the citizen to be correct in his individual and private conduct.

The same observation applies with greater force to instructional institutions. These may be defective in giving knowledge by a bad method, or by insinuating errors, prejudices, and falsehoods in the garb of truth, and thus misleading the people they profess to guide. Among the instances of the former defect, may be reckoned the bad system of written signs of the Chinese, and the bad logic of the schoolmen : examples of the latter may, in a greater or less degree, be found in almost every existing system of religious instruction ; in a great part of the education of what is called the world ; in the moral systems of the generality of petty boarding schools, &c. Errors of method are the less dangerous, because bad methods carry with them their inconvenience, and therefore become incentives to mankind, urging them to look for ameliorations. Yet the false method of philosophizing, introduced by the Greeks, still continues to infect some of the most important branches of knowledge. The second defect is the more dangerous, because it involves not only the mistakes, but the crimes of those who direct public affairs. A false system of knowledge begets false interests ; and these interests must be defended by preserving the people in the ignorance out of which such combinations arose. By this vicious circle there is engendered

in the bosom of society a phalanx opposed to the people, ever ready to amalgamate itself with the possessors of power, and to interest them in the maintenance of its own pretensions; giving rise to restrictive laws on the press, burnings of books, inquisitions, and *autos-da-fe*, with all the evils of faction, intolerance, and persecution. It is under such circumstances alone that individuals could be emboldened at the same time to assert that the gospel is a rule of faith and conduct, communicated by God to man, and to fulminate anathemas against the persons who would put that rule within every man's reach. It is under such combinations alone that men acquire the hardihood to pronounce the revelation of the Deity dangerous, unless aided with their own interpretation; and to pretend that their personal agency is requisite to fulfil purposes, without which the Divinity must have failed in his efforts to benefit mankind. Where institutions of this kind have been suffered to grow up, and to strengthen themselves in the bosom of society, they have proved most destructive to national morality. For it is the professed object of all institutions to give permanence to the combinations from which they arose, to secure in perpetuity the ends which appear good at the moment of their formation. But the partial and corrupt interests of fraudulent teachers are founded exclusively upon great national ignorance, and can only thrive by the continuance of that ignorance. Whenever any body of men have thus mastered public opinion, and wormed themselves into a maintenance at the

public expense, their great object has been to keep the people constantly in good-humour with the institution by which they subsist ; to exclude every ray of light which can detect their own imposture ; and to inculcate a passive and uninquiring faith in their dogmas, with a prostration of mind, which incapacitates it for the free exercise of its own faculties.

It is not necessary to pursue further this chain of consequences, and to repeat again and again, that ignorance is the fruitful parent of all our crimes and all our miscarriages. The history of the last two thousand years is one continued illustration of this verity.

THE love of power is so inherent in human nature, that it extends its views to whatever the mind can grasp. He who coupled an imaginary route to the moon, with the project of a partition treaty between the several potentates of Europe, threw a sarcasm not only on the colonizers of America, and the morality of kings, but upon the species itself. Not contented with the enjoyment of the fruits of the earth, during our natural lives, we pretend to regulate their possession to the end of time, and to prescribe who shall, and who shall not enjoy them, to the remotest posterity. Fortunately

The law of God, as well as of the land,
Abhors a perpetuity should stand.

In like manner legislators bend their whole thoughts to giving an endless durability to their labours, as if their laws were not only the best

under existing circumstances, but possessed an elasticity which adapted them to all possible contingencies. Lycurgus, when he bound the Spartans not to change his laws till his return, and then destroyed himself to ensure their perpetuity, acted merely like a self-conceited (though, perhaps, benevolent) coxcomb. When the pensioned Burke maintained that the Convention Parliament bound the English for ever to the decendants of William, he united the ignorance of a sciolist, with the perversity of a hireling.

A good, and philosophical legislator will, on the contrary, endeavour to give his combinations no greater tenacity than will enable them to withstand the shock of accident, and resist a malevolent attack ; leaving open a sufficient door for the introduction of such changes as time and experience may render necessary. “ He that will not apply new remedies,” says Bacon, “ must expect new evils : for time is the greatest innovator, and if time of course alter things to the worse, and wisdom and counsel shall not alter them to the better, what shall be the end ? ” It is this that is meant by bringing a constitution frequently back to its first principles ; though the expression is generally used to flatter men’s predilection for what is established. The first principles of a good constitution can be no other than the liberty and happiness of the people ; the actual forms are only the means ; the progress of time, in changing things, disqualifies the forms for effecting their end ; corruptions arise, and the permanence of

the form becomes the excuse and pretence of the abuse. A recurrence to first principles is a remodelling of forms, so as to accommodate them to existing contingencies, and thus to restore their efficacy. In the case of Great Britain, a recurrence to first principles would give representation to towns which never before enjoyed that privilege, and it would take it away from many which have possessed it from remote antiquity : should circumstances even arise eliminating a better system for preventing absolute power than that of a House of Lords and a House of Commons, we should go further back than the epoch of parliaments, and apply the principles to which these assemblies themselves owed their establishment.

The influence of governments in promoting morality is precisely proportioned to the greater or less facility they afford to the free development of mind ; and to their placing institutions the most unrestrictedly under the control of opinion : for if the Government does not bend to the force of things, but preserves forms when they cease to effect their appropriate ends, law and necessity teach contradictory and opposing duties. But when the law only directs that, which the well understood interests of the people would inculcate (that is to say), when it emanates from a full and free representation of all classes of the society, the natural and written law speak the same language, and they are universally understood and respected.

It is a prevalent cant among those interested in

the permanence of existing abuses, to rail against the fickleness and caprice of the people : a charge that is totally without foundation. The great law of habit (that influences our moral determinations no less than the actions of the minutest muscular fibre) draws the people with a strong predisposing force, to whatever is established ;* and it may safely be averred, that revolutions fail as much through a national reluctance to part with an accustomed error, from a disposition to innovate by halves, as from a precipitate, ill-judged affectation of novelties.† There are few abuses or absurdities so great, that time will not give them a certain sanction ; and hereditary kings find no argument to prevail more strongly in their favour with the people, than that the Jews, in their early history, under the immediate wrath of Heaven, established an elective monarchy.‡ There is, therefore, but

* “ On peut être obligé quelquefois de changer les lois du peuple vaincu ; rien ne peut jamais obliger de lui ôter ses mœurs, ou même ses coutumes, qui sont souvent toutes ses mœurs.” — *D'Alembert, Analyse de l'Esprit de Lois.*

He might have added, that it is as difficult as it is unjustifiable.

† Had Napoleon established a reformed religion in France, instead of bolstering the Roman-Catholic hierarchy, he would have succeeded better, both for himself and for the cause of Christianity.

‡ The two first Hebrew kings were chosen by the clergy without reference to birth ; but the monarchy soon became too powerful for the priesthood. In fact, kingly power is necessarily elective in its origin, since those who possess the power of putting a king on the throne, would naturally strive to retain it ; and force and habit could alone reconcile a nation to the possible succession of a child, an idiot, or a demon.

little cause for apprehending that states really free should innovate hastily; since the pliability of their nature admits of a slow, but continued process, which carries institutions forward, *pari passu*, with the improvements of the age; and thus renders those sudden and unregulated movements, *per saltum*, which occur in despotic governments, wholly unnecessary.

In proportion as power is concentrated into fewer hands, governments will tend more decisively towards an undue permanency; whereas a government, which is an expression of the will of all, must necessarily be prone to follow the alterations in that will; and in proportion as knowledge advances, or circumstances change, its institutions will accomodate themselves to events, and keep pace with the progress of society.

In such a government, neither will the authorities demand more sacrifices than are necessary for the well-being of the community, nor will individuals resign more of their liberty than is indispensable for their own security. The laws will, by the inherent force of the society itself, accomodate themselves to the circumstances of the state, and the several classes of the citizens arrange themselves in their proper *assiette*, so that no one shall press upon the other.

It is no doubt true, that, under these circumstances, the laws will be an expression of the ignorance and errors of the nation, no less than of its wisdom: the laws of the Roman republic reflected its warlike and ambitious propensities

and the savage ignorance of nature, and consequent superstition of its citizens. But man, in his collective, as in his individual capacity, cannot emancipate himself from his nature, and rise above the dominion of external circumstances. His will is bounded by his means. The whole tenor of history, however, proves that the worst evils of popular error and caprice, are light and transitory, when opposed to those that flow from the egoism, oversights, the narrow capacities, the luxury, the indolence, and even the mis-directed benevolence of authority consolidated in the hands of a few individuals.

It is in the very nature of things, that riches, which are but another word for power, should give their possessor a political predominance; and as the great end of all government is to give to each man the secure possession of his own, so the laws of all states acquire a tendency to favour accumulation. Art and nature, therefore, combine to establish inequality among men, and to separate the people by a sort of polarization, into the two extremes of rich and poor. The rich are few in number, and can readily combine to increase, by institutions favourable to themselves, the natural advantages they derive from the mere possession of wealth. In the progress of time all governments thus tend to despotism, which is the old age of nations; and like the senility of individuals, it indicates an approaching dissolution, by the concentration of force in the influential parts, and by the coldness and torpor of the extremities.

Where institutions are not formed to resist this

natural tendency, it advances in an accelerating ratio, power gradually slips through the hands of its depositories, and the interests which these represent become neglected; till at last the many live only for the benefit of the few,—of one;—than which a greater curse cannot be inflicted on humanity.

THE faculties of man being calculated (if we may so speak) upon his necessities, it is the effort to supply these that affords them their wholesome sphere of activity. Whenever, therefore, the means are too great or too little, the faculties are thrown into an improper and unwholesome condition. If the lawful exertion of those faculties will not procure a satisfaction of the first wants of nature, the passions are inevitably roused by a convulsive and anti-social struggle for existence. If, on the contrary, the means of supply are too abundant, the faculties, wanting the causes for their exertion, fall into a capricious and ill-directed activity, no less injurious to the best interests of society. In one word, excesses of poverty or of riches, are the great occasional causes of a life of vice and of unhappiness. These are physical evils, which when suffered to spread, no moral combination is strong enough to control.* The existence of either is equally unfavourable to good morals. The poor want both

* The existence of great disproportion in the fortunes of the citizens is always the consequence of bad laws: for mankind are sufficiently prone to idleness and pleasure, to ensure a quick circulation of wealth, where peculiar families are not supported by partial institutions. To restore equality, therefore, there is no necessity for any harsh or revolutionary changes.

“ Il (le législateur) n'essayera pas établir l'égalité par des

time and motive to learn, and the rich despise learning ; while the depositaries of power are directly interested in repressing knowledge, and disseminating error.

Inequality of fortune, when pushed to extremes, exerts also an influence, considerably hostile to the social and sympathetic tendencies. Extreme poverty, by making the struggle for existence too painful, allows them no scope ; and extreme wealth and luxury, while they create an heartless love of pleasure, place the individual beyond the reach of the affections, and leave him in ignorance, and almost without a conception of misery. The most charitable classes of all communities, are those just placed above absolute want. The Irish poor farmer never shuts his door against a beggar ; but shares his children's potatoes with the first wanderer that claims his pity.

The unfortunate condition of society where this inequality of fortunes prevails, is well illustrated in the reigns of Louis the Fourteenth and Fifteenth of France. The people, poor, ignorant, and miserable, —the court a brothel or a conventicle, —the press silenced, —the scientific congregated in academies,

mesures violentes qui n'ont jamais qu'un effet momentané, qui manquent toujours leur but, et qui, de plus, sont injustes et affligeantes. Il se bornera à diminuer autant que possible, la plus funeste de toutes les inégalités, celle des lumières ; à développer tous les talens, à leur donner à tous une égale liberté de s'exercer, et à ouvrir à chacun des citoyens également tous les chemins vers la fortune et la gloire.... Il se contentera de ne permettre ni majorats, ni substitutions, ni retraits linagers, ni privilèges, &c. &c. &c."

Commentaire sur l'Esprit des Loix de Montesquieu.

and placed under the control of a minister,—the nobility and upper clergy debauched, extravagant and dependent,—a barbarous semi-civilization in the court and capital,—utter ignorance and brutality in the provinces,—and superstition and persecution reigning through the entire kingdom.

This is a condition of misery and inefficiency in which no nation would long voluntarily remain, without a great inequality in the distribution of forces ; the number of those who benefit by it is too few, and of those who are oppressed too many, to admit the continuance of such a combination, without violence being done to the public will. If an analysis could be made of the concurring causes which upheld such a system, it would afford much instruction respecting the real value of institutions as moral agents.

The French monarchy, like most of the despotisms of modern Europe, arose out of the degradation of an aristocracy ; and it derived all its strength from the combinations which that aristocracy had founded. Its essential elements were arms and wealth in the hands of a few, and ignorance, poverty, and subjection, the lot of the many. The general condition of the people, it is almost needless to say, arose out of circumstances partaking more of physical than of moral causation. It is probable that, except in a few favoured spots, civilization was never carried to any great extent among the Gauls. The succession of events which accompanied the downfall of the Roman empire destroyed these centres of illumination, banished all the educated who could fly, and cut

off those who remained;* till the country, half drained of its inhabitants, and wholly wasted in its means, was soon reduced to a level with the barbarity of its new military occupants, who parcelled out its lands, and enslaved the people.

The distribution of property then made, and the system of rude laws constructed for its maintenance, continued for centuries with little alteration; because the physical and moral elements out of which they arose remained nearly the same. During this long period, the government vibrated between a monarchy, an aristocracy, and a theocracy, as circumstances and the preponderance of talent permitted; while to the people time brought no change. Deprived of the means of enriching themselves, of acting in combination, or acquiring knowledge, they were exhausted by the incessant warfare of their contending masters; till Louis XI., at length, consolidated the monarchy; and Cardinal Richelieu annihilated the feudal power of the nobility, and reduced them to a base and sycophantic vassalage to the throne.

By degrees, however, the people by the force of circumstances too strong even for these institutions, advanced both in wealth and instruction; towns arose, internal commerce thrived, and the quarrels of

* “Marseille, Arles, Autun, Lyons, Trèves, étaient des villes florissantes, qui jouissaient paisiblement de leurs lois municipales, subordonnées aux sages* loix Romaines. . . . mais dès que les Bourguignons, les Goths, les Francs arrivent dans la Gaule, on ne voit plus de grandes villes peuplées.”

Voltaire, Mœurs des Nations, vol. 2. chap. xvii.

* With respect to the wisdom of these laws, more will be said hereafter.

their tyrants gave additional importance to the great cities. But the system still remained, and lay like an incubus upon the nation ; because the land was still vested in the nobility and the clergy ; who, united by a common interest, co-operated to oppress and to deceive. It was in vain that the League and the Fronde divided, for a moment, the privileged classes. The people wanted knowledge and concentration to avail themselves of the opportunity, and to overturn the institutions of their forefathers. Interests hostile to those of the community, consolidated themselves by time, and concentrated in themselves the whole power of the sword and of opinion.

Thus far we find the system active and operative ; because it still harmonized with the condition of the nation. Both the moral and physical force of the community was still armed in its support, and its forms, being calculated to repress the national energies, tended to preserve the poverty of the many, and to increase the power, influence, and physical superiority of the rich, out of which it arose.

But on the final consolidation of the monarchy, the influence of the press, the improvements of agriculture, the multiplication of commerce, the intellectual struggle concerning religion, and the immense influx of light from Holland and from England ; in one word, the force of things began to triumph over institutions. Wealth and knowledge gradually diffused themselves among the *tiers état* ; Paris became a focus of political and moral movements ; and each successive year added to the force of opinion, and raised the people in importance, in the same proportion that the vices of the government and

privileged classes wasted and annihilated the resources of despotism. During the reigns of Louis XV. and XVI., the monarchy seems to have subsisted entirely by acquired impetus ; the causes of its existence having utterly decayed, and given place to newer combinations.

Throughout the whole of this long period, the history of French society exhibits the force of institutions when they coincide with the condition and spirit of the people ; and their weakness when that spirit and condition are against them.* The rise, progress, and final triumph of opinion over standing armies, over the unlimited authority of the throne, and the spiritual despotism of the clergy, afford invaluable documents for illustrating the real value of moral combinations. Never within the period of recorded history, did there exist an institution more consolidated, than the alliance of the throne and altar in France : but the printing press and the magnet, education and commerce,† have prevailed ; and if

* “ Nous devons conclure de ceci que les institutions ne peuvent s'améliorer que proportionnellement à l'accroissement des lumières dans la masse du peuple, et que les meilleurs *absolument* ne sont pas toujours les meilleurs *relativement* ; car plus elles sont bonnes plus elles sont contraires aux idées fausses ; et si elles en choquent un trop grand nombre, elles ne peuvent se maintenir que par un emploi exagéré de la force. Dès-lors, plus de liberté, plus de bonheur, plus de stabilité surtout.”

Commentaire sur l'Esprit des Loix.

† The commerce of France it is true has been scanty ; and the advances of that country in wealth principally occasioned by internal trade ; but in assuming commerce as one of the remote causes of the Revolution, the moral effects of English, Dutch, and American enterprize must be taken into the account.

that monarchy can be considered as still in being, its existence should serve only as a beacon to other governments, warning them of the necessity of timely reformatations, and of an adjustment of institutions to the new distribution of power among men.

THERE is, however, another point of view, which in its connection with morals, is well worthy of further consideration: and this respects the influence of institutions on conduct *while they are in vigour*, the virtues and vices they necessitate, and those which they exclude as incongruous with themselves.

Every distinct form of government holds out to the citizen distinct motives, which regulate not only his private, but his domestic life; and determine the mode of his moral existence so rigorously, that he is qualified good or wicked, merely as he does or does not harmonize with the general system.* Not only, indeed, does his conduct and character obey this influence, but his opinions and prejudices concerning the very elementary principles of morality submit to its guidance. The assassination of Cæsar, the admiration of the citizens of free states, is regarded as a sacrilegious treason by the slaves of despotic governments.

But, to take an example less equivocal in its tendency, the fundamental notions of property

* This notion, which probably gave rise to the *Esprit des Lois* might have guided Montesquieu to a much more philosophical conclusion than his system of fear, honour and self-denial; but the times in which he wrote were unfavourable to free-speaking, and consequently to free-thinking.

itself differ under different governments. In free states it is regarded as an inherent and unalienable right, deriving its sanction from the great law of nature itself: according to the monarchic principle, it is a grace and favour from the crown; in which alone centres the right, not only to all things, but over all men.

The consequences of such absurd and odious principles, upon almost every point of morality, are extensive; and destructive as they are general. He, in whom all rights centre, becomes of course the fountain of opinion; and right and wrong, no longer in relation with the nature of things, follow the caprices and obey the *jus vagum* of the monarch of the day.* Is the king devout, the subject becomes superstitious;† is he libidinous, prostitution becomes honourable, and adultery the high road to consideration.‡ Thus the character of the nation changes in every reign, and often more than once during the same reign;§ and thus

* "As famine causes diseases and death, and as the dead and dying scatter mortal infection among the still surviving remains of society, the vices of monarchy are received and communicated in all directions by all individuals; till the lowest subject, according to his pitiful means, is as corrupt as the greatest prince."

Ensor, on Government, v. 1. p. 135.

† The French court in the reign of Mad. de Maintenon.

‡ The court of Charles II. in England, and of Louis XV. in France.

§ "Sed plerumque regiæ voluntates uti vehementes, sic mobiles, sæpe ipsæ sibi adversæ.

Sall. de Bello Jugurth. p. 400, edit Var.

a respect for virtue or fixed opinions of life and conduct become moral impossibilities.

There is, indeed, one particular vice, which can never be general in a nation, except where monarchy exists to feed it with incentives, and that is flattery. Even in aristocracies, which are in fact but subdivided monarchies, this vice is confined to the lowest of the people, and practised only for the mere purpose of procuring a mean and despicable existence, by men to whom "*etiamnum reliquiarum spes animum oblectat*,"* But in courts, flattery is the general business; the hope of the humble, the ornament of the favourite; the study of a Seneca, and of a Pliny; and as gracious to a Trajan as to a Nero. The mind that degrades itself by the daily repetition of unmerited praise, by extenuating vices, and feigning to perceive virtues, can neither be capable of any thing great nor generous, nay not even of common honesty in the daily transactions of life; and those who hear the fulsome eulogies of very wicked and very feeble kings chaunted in the temple of God, by lips consecrated to his service, but blasphemously subservient to the service of falsehood,† must learn to consider all distinctions of right and wrong as conventional,—as rules to guide the weak and enchain the dupe, but wholly inapplicable to the conduct of the great and the powerful.

In absolute monarchies, merit is so far from tend-

* Plautus, *Menæch*.

† See the Court Sermons of the most esteemed preachers of Louis the XIV. of France; and *hoc genus omne*, at home as well as abroad.

ing towards success in life, that it is generally the most effectual impediment to advancement. Intrigue, dexterity, pliability, corruption, both personal and pecuniary, are necessary qualifications for advancement and distinction. "*Médiocre et rampant, et l'on arrive à tout.*" This is no indiscriminate satire. The principle exists, wherever one man is supreme; and it influences alike the Christian and the Turk, the polished European and the naked African. Where such a principle is in activity, manliness of character and simple virtue are wholly impossible. Every effort is directed to appearances, and no attention is thrown away upon realities; falsehood infects the very life-blood of society; and the most highly educated is the worst and most dangerous member of the community.*

Another characteristic of absolute governments is the inequality and uncertainty of law. The very circumstance of rights being supplied by privileges, and a consequent distinction of castes being established, is subversive of pure and sufficient notions of justice. Under the old French government, it not unfrequently happened that the noble criminal was imprisoned for an offence for which his suborned accessory, his domestic servant, was broken on the wheel. The ancient law of our savage ancestors that set the life of man at a price,

* *Honnête* in French has thus lost its primitive signification of modest, to imply courteousness; following, however, rigorously its etymology, since the men who had ceased to blush at vice endured not the imputation of rusticity: so also *vertu* has come to signify love of the fine arts, and not the love of good morals.

and rated the accident of rank above the essential of humanity, was less revolting and less injurious to morals.

This, however, it may be said, is an extreme case ; but the principle is inherent in monarchy, and it is acted upon in all states, in the exact proportion in which monarchy predominates. Even the whole art and industry of man has been insufficient to banish ministerial influence from the tribunals of kingly governments, and to protect the citizen from excessive punishments, where the crown is interested in the prosecution.

Another vice, which is common to monarchical and aristocratic governments, and which is wholly unknown to free states, is espionage. There is an instinctive consciousness in usurped authorities (and absolute monarchy stands at the head of this class, notwithstanding its ridiculous pretences to legitimacy), which begets an incessant apprehension of danger : and where this fear happens to sleep, royal curiosity is eager to inquire concerning whatever is going forward in society. The favourite minister, or mistress, has ever found the readiest influence over a monarch, in supplying him with his daily tale of scandal ; with the history of domestic disputes, of the intrigues of courtiers, and of the women's lapses from propriety and virtue. To feed even this paltry and pettyfogging vice, corruption is spread through all the ranks of society ; the servant is bribed, and the friend is seduced : but when state policy mixes in the affair, when agents are sent

forth, not only to relate what passes, but to instigate to crime, and to insinuate rebellion ; when slaves, in all ranks and stations, are hired to worm themselves into confidence, to prompt, to suggest, to open new views, to aggravate old displeasures, to solicit and to betray, who will be found to stoop to the daily drudgery of life? who will not grasp at the short and facile path to riches and to honors? * In a nation so situated, even virtue itself will be converted to vice ; and societies will congregate to preserve the purity of public morals by the dark agency of spies :—right and wrong will be confounded, till even the pious sin, through excess of zeal, against the first precepts of humanity ; the wish of the atrocious Queen of Naples will be realized, and the trade of the informer no longer be branded with infamy.

The existence of absolute monarchies depending upon the abjection of the people, it is impossible that such a government should desire fairly and honestly to forward the development of the national forces. The depositories of absolute power arrogate to themselves the attributes of paternity ; and, to maintain their affected character, they strive to preserve the people in the helplessness and ignorance of infancy ; while, like parents in general, they are more occupied in keeping the children quiet, than in exercising their faculties ;

* “ Ubi malos præmia sequuntur, haud facile quisquam gratuito bonus est.”

Sal., Hist. Fragmenta, lib. 1.

and are contented that they should do nothing, so long as they are neither troublesome nor mischievous. But even when such a government really intends well (and there are motives which may induce kings to desire the opulence, at least, of their subjects), they usually interfere only to do harm. No person can understand other men's affairs so thoroughly as the parties interested; and even the best-informed cannot regulate the arrangements of commerce and manufacture so well as they spontaneously regulate themselves. At best, systems change with every new reign, where every thing depends on the will of one man: most frequently, indeed, the incapacity of that one man to move so large a mass in any certain direction, drives him from expedient to expedient, forcing him to encourage with one hand and to repress with the other; to offer bounties on production, and raise barriers and toll-houses to check its circulation; to open ports, and impose duties; to plant colonies, and monopolize their products; to drain marshes, and to establish a maximum, or a minimum of prices or of wages; to favour one branch of commerce at the expense of others; to lay prohibitions, and to meddle and interfere in the smallest details, as in the greatest designs of trade and agriculture.*

* Nothing can prove the total incapacity of governments to regulate these matters, better than the absurdities into which even a popular assembly (composed of men whose interests are deeply at stake) have fallen, in attempting to fix the price of

In such a government, likewise, the taxes not being levied for the public service, but for the use of the court, they admit no other bounds but those of physical possibility. Our own Queen Elizabeth stands alone among crowned heads, in preferring that her wealth should circulate in the service of her subjects, rather than lie in her own exchequer. The old *régime* of France added a singular absurdity to its atrocious expenditure, in exempting the privileged classes from the burden of taxation. The consequence of all these errors and crimes is the misery of the people; and their misery begets their vices and immoralities. He who cannot sustain life by honest industry is from necessity a thief; and the nation in which every class of society presses against that immediately below it, and in which all struggle to maintain existence, must be deficient in every social virtue, and torpid in every social affection. In such communities, those only are rich who are paid out of the public exchequer, while poverty lies heavy on the industrious classes. The prejudices of birth are not there required to render trade vile and commerce degrading; nor is that degradation necessary to encourage dishonesty and propagate deception. Thus, while famine renders the lower classes licentious, sycophancy and intrigue debase the highest. The king's smile is the only road to

corn. The Agricultural Reports are monuments of the absolute inefficiency of laws in turning aside the course of nature; and of the impossibility of controlling things otherwise than through the influence of things.

wealth ; and however many the *good things* placed at his disposal, the candidates are still more numerous. Want and ambition sharpen their intellects, and inflame their passions, till nothing is left undone nor unsuffered to supplant a rival or to secure a patron.

It is the peculiar character of absolute monarchies, that while they encourage the widest distinction of riches and poverty, they hold the wealthy and the independent at the greatest distance from employment and power. The nobility and landed aristocracy are indeed encouraged to add to the splendour of the court, and are attached to it by household and menial employments, which confer a degrading distinction, without granting authority, or affording occupation. In such a court, a monarch who seeks the permanence of the existing system, should desire nothing better than to see his nobility occupied with gaming and with gallantry ; and such courts are accordingly the hotbeds of these vices, which can never exist to any great extent, when time brings its regular and necessitated avocations. But what are the children of such combinations ? The Grammonts and the Pomenars, the Richelieus and the Chesterfields, the Portsmouths and the Shrewsburys, and all the heroes and heroines of Crebillon, of Behn, of Diderot, and Duclos.* Yet this is the

* “ L’ambition dans l’oisiveté, la bassesse dans l’orgueil, le désir de s’enrichir sans travail, l’aversion pour la vérité, la flatterie, la trahison, la perfidie, l’abandon de tous ses engagements, le mépris des devoirs du citoyen, la crainte de la vertu du

state of society which is eulogized by moralists, and advocated by the preachers of Christianity! This is the "social" order, round which nations are called to rally; for which soldiers fight, and judges fine, and imprison, and hang; for which priests pray, bishops anathematize, and ministers proscribe! Oh, holy and most venerable hypocrites! You distribute bibles; you prosecute, like felons, the libellists and blasphemers against your own dignities and immunities; you send missionaries to fanatize the people at home, or to breed dissension among distant nations; you discourage innocent amusements, and sedulously strive to judaize our sabbaths; but you labour to consolidate and to sanctify every established abuse, and, by striking at liberty, to corrupt in its earliest seeds, the morality of the country.

From this review of the effects of an absolute monarchy, we gather, that as it arises in the unequal distribution of power, knowledge, and wealth, so all its institutions tend to render permanent, or increase, the inequality in which it is founded. A government which could obtain the perfect mastery over these causes, might maintain itself for ever. As long as circumstances conspire to promote this tendency, the people, weak and defenceless, are bound by the institutions which operate against them: but when they acquire riches and

Prince, l'espérance de ses faiblesses, et plus que tout cela le ridicule perpétuel jeté sur la vertu, forment je crois le caractère du plus grand nombre des courtisans, marqué dans tous les lieux et dans tous les tems."—*Montesquieu*, l. iii. c. 5.

intelligence, they gain a practical freedom, even under the same forms which oppressed their ancestors; and in a short time are enabled to establish a better system of laws. The whole influence of the institution, therefore, is exerted through the activity of the physical causes with which it is connected.

The foregoing observations on political institutions are equally applicable to religious combinations. Every stage of society, every epoch of civilization, has its appropriate creed; and, from the monstrously deformed idol of the New Zealander, to the abstract divinity of Plato, each shade of opinion has its appropriate and peculiar believers. The force of religion being entirely a force of opinion, religious institutions are necessarily compelled to modify themselves upon the actual state of the people, or to lose their whole weight and influence on the minds of men. The natural instinct of all hierarchies is, therefore, to preserve the people in that intellectual condition out of which their own institution arose. Change is their greatest danger, and innovation the object of their deepest regrets. To avoid these, they have in most countries sought to obtain possession of public education; while, by an alliance with the throne, they have been, for a time, enabled to force those whom they could not seduce.

The Catholic religion, as it subsisted before the Reformation, afforded one of the most striking combination of forces that ever was brought to play upon the human intellect. For many hundred years, it exerted the most energetic influence to which

thought was ever subjected. Yet it was wholly helpless against the attacks of the reformers in those countries, where circumstances favoured their activity; and its entire authority fell to the ground, when it ceased to be in harmony with the existing state of civilization.

In the most florid and imposing prosperity of religious systems, they may be considered as deriving their influence more from a pliability which enables them to profit by the genius of the age, whatever it may be, than from any power they possess of resisting a direct opposition. They succeed much better by humouring than by driving prejudice; and when, by indiscretion, they have put themselves in opposition to reigning interests, it has required the whole physical force of the state to maintain their supremacy. Even that religious institution, the most concentrated and energetic, the religion which boasts a divine and miraculous origin, combining imposing dogmas with a simple morality, has bent to all forms of government, and to all stages of civilization. Setting on one side its inspired precepts, and regarding it only in its forms, it is found allying itself with the crimes of Constantine, and encouraging, by its absolutions, the ferocity of Clovis; protecting with its thunderbolts the throne of the Cæsars; and furnishing arguments for liberty and equality to republican pastors; combining with the philosophy of Epicurus under the robes of a cardinal, and dyeing the cynicism of the Calvinist with a deeper tinge of melancholy; arrogant, dogmatizing, and intolerant at Rome; pliant, benign, and

merciful where its usurping interests are opposed by the steady light of reason.

The volume, which contains the essence of Christianity, abounds, indeed, with a multitude of moral axioms directly hostile to many of these different phases of religion; but the force of circumstances has uniformly triumphed over the influence of abstractions. Against the corruptions of wealth and power axioms form no shield; nor could they even be comprehended by the savage hordes which ravaged and divided the Roman empire. By these ferocious and uncivilized tribes, the language of the gospel was not understood, its dicta not comprehended; and the whole mass of historic evidence proves, that a second revelation was wanting from the hands of nature, to enable them to profit by the first, and to arrive at the capability of estimating the morality it inculcates.

The character of religion differs indeed even in the three kingdoms of the British empire. In Scotland, grave to austerity, but humble in its exterior, it fixes itself with confidence on the basis of religious and political freedom. In England pompous, arrogant, and splendid, it seeks to amalgamate itself with the aristocracy; and claims, in its own right, that infallibility which it will no longer yield to the more ancient pretender. Enemies to the freedom of the press, the English hierarchy practically renounce all those axioms which can alone justify their own secession from the descendants of St. Peter. In Ireland, still richer and more aristo-

cratical, they are yet further separated from popular interests, by the prevalence of a Catholic population. In Scotland alone would the established religion be upheld by its own force, if deserted by the temporal power; in Scotland alone does it exert any very general influence upon conduct and opinion. In England, and still more certainly in Ireland, the riches and power of the church would be diverted into other channels, if the question were put to the votes of the entire community; because the combinations in which the Anglican church arose have passed away, and the hierarchy, not having learned to improve with the improvements of the age, are deserted by opinion. In Ireland, indeed, the establishment has uniformly subsisted by force alone.

It is boldly asserted, and generally believed, that the influence of religion has been powerfully instrumental in hastening the march of society; but this can never be the case where the religion is enslaved by a powerful hierarchy, and propagated at the point of the sword. The tendency of all such institutions is to retrograde, if not to be at rest; and they act as a clog upon thought, rather than as a spur to intellectual development. That the morality of the New Testament belonged to a higher order of civilization than that of the northern invaders of Europe is incontestibly true: but for that very reason it was the less efficient in influencing their habits. Monarchs, indeed, and feudatory chieftains became monks; gave away their lands to the clergy, in the dread of an ap-

proaching dissolution of the world they inhabited ;* and governed their kingdoms at the pleasure of their spiritual pedagogues ; but they were not the less sanguinary, licentious, and tyrannical ; not less disposed to invade the rights of other sovereigns, or to oppress the people committed to their own rule. The doctrines and examples contained in the Old Testament, however, coincided but too well with their lawless and violent tempers ; while, therefore, the clergy by their connection with Rome preserved alive the corruptions of the ancient civilization, the laity, combining the severe and gloomy mythology of their Pagan creed with the stern atrocities of Judaical history, degraded the new religion still further with superstition and with crime. Upon the mild precepts of the gospel, which was unquestionably a reform at once in the moral, religious, and political systems of the age in which it was preached, they engrafted judicial combats, absurd ordeals, disgusting and degrading penitences, with a deluge of false and abominable moral axioms, which, extending their influence beyond the brutal ignorance in which they began, infected, more or less directly and extensively, the nascent civilization of the Italian republics ; and are even at the present day, not entirely lost in the new combinations of the Holy

* It is very singular that the cupidity of the clergy, and their eagerness to get possession of land, did not open the eyes of the laity to the absurdity of the "*adveniente mundi vespero*." Under that contingency, where was the merit of giving ? where the advantage of receiving ?

Alliance. The "Prince" of Machiavel could hardly have entered the imagination of a genius untutored in the convenient morality of papal sophistry. Instead, therefore, of regarding religion as among the causes of European civilization, it appears more consonant to truth to affirm, that the perversity of circumstance infected and polluted religion with all the vices of a corrupt society, and with all the errors of barbarity and ignorance: while an undue distribution of knowledge and of power, gave to the religion, thus corrupted, a preternatural duration, and rendered it an instrument of protracted misery, vassalage, and darkness.

The European clergy take great merit to themselves as a body, because the church in the dark ages preserved alive the feeble, flickering flame of science and learning; as if an accidental and contingent advantage was to give character to a course of action directed towards very different ends. In pursuing the learning of their age, the clergy of those times no otherwise accelerated civilization than as the interests of the church might happen to coincide with those of mankind at large. The monopoly they obtained of the learned professions, and the jealous restrictions which they opposed to the struggling intellect of their barbarous flocks, render their claim to the title of leaders in civilization pre-eminently ridiculous. While one single law subsists to punish the promulgation of any religious opinion, the clergy must content themselves with their riches and authority, and abandon, for themselves and their predecessors, all pretence

to the character of civilizers or illuminators of their species.

With respect to the mere point of learning, it may fairly be presumed, that, had the independent and enterprising race of warriors which broke upon Europe, been left to their own exertions, neither impeded in the formation of their own notions, nor obliged implicitly to receive those of others, they would have struck out a system of literature and philosophy much superior to the shreds and patches of ancient learning, which, a few centuries ago, formed the sole intellectual riches of the Christian world. The entire history of the church is marked by the struggle between intellect and authority ; and almost every age produced its evidence of the native energies of the northern population, in a few individuals, who broke the trammels of church and state superstition, encountering persecution, meeting death, but sowing in their brief career enough of the good seed, to preserve an unbroken tradition of a better order than that which actually subsisted.*

* Among the greatest evils entailed on modern civilization, is the preservation of the Roman code, which has tended more to barbarize and confound our institutions, and to distort our ideas of justice, than any other cause. The codes of the several northern tribes, though imperfect and unjust in many of their dispositions, were simple in their forms, and sound in their fundamental principles ; so that they were admirably calculated to improve with the intellectual development of the people. But the Roman code, loaded with errors, with the vices of despotism, and the quibbles of jurisconsults, was only calculated to pin the intellect down, and to keep civilization in a stationary condition.

The Catholic Church as it long subsisted in Europe, was a result of the peculiar distribution of knowledge and of wealth; and like the despotic temporal governments, was an effect of the physical condition of society. In the long career which the permanence of its causes afforded, the interests to which it gave birth have so strengthened and united themselves with the whole structure of society, that it still subsists on the continent as a corps, though its influence as an institution has almost wholly fallen. Engrafted upon the political systems of the day, it maintains its parasite existence through their support. Its revenues

“ Abbiamo veduto quale fosse da principio la giurisprudenza Romana, incerta, arbitraria, confusa, e mistica. Abbiamo veduto come in essa avevano maggiore parte le opinioni private che la volontà generale, che in questo tipo durò, stante la repubblica; e che sotto l' impero, oltre agli antecedenti difetti, prese la tinta del Dispotismo, riunendosi nella persona del Principe il potere giudiziario ed il legislativo. Abbiamo anche veduto come volendosi rimediare ai mali ed ai disordini, nati dalle leggi e dalla giurisprudenza medesima, non si fece altro che moltiplicarli: e che finalmente la legislazione di Giustiziano mise il colmo alla desolazione della giustizia.”

“ We have seen that in the beginning the Roman jurisprudence was uncertain, arbitrary, confused, and mystical. We have seen that it was more the result of private opinion than of the general will;—that this was its type under the republic, and that under the empire it added to these faults a tincture of despotism from the union of the legislative and judiciary power in the person of the Emperor. We have seen, likewise, that the attempt to remedy the evils and disorders inherent in the code itself ended only in their increase, till the system of Justinian put the last stroke to judiciary disorganization.”

Delfico, della Gius. Romana.

are collected and distributed under the protection of the bayonet, and its dogmas are received with submission, because they are enforced from the mouth of the cannon. But its influence upon opinion and on conduct has departed with the causes in which it began. The force of establishment, for a while, upheld its dogmas, by its control over education, and over the emission of opinions; but time and physical change have prevailed; and the system which no longer corresponds with the intellectual wants of the species, has fallen into inevitable and irretrievable ruin.

When any religious institution is contemplated in the plenitude of its activity, when its dogmas are implicitly received, and its sanctions universally accredited, it is universally regarded as exercising a great control over moral conduct, and as affording a powerful engine for modifying the social animal. This is, however, considerably less evident than in the case of political institutions, which are more immediately concerned with the daily interests and business of life.

The influence of any church upon public morals is strong, chiefly upon those points in which happiness is the least concerned. The great sanction of morals is utility, and the virtues are practised for the sake of the advantage they evidently procure, or the pleasures they excite through our natural sympathies, much more than upon any remote calculations of cause and consequence in another world. It is rarely, indeed, that men enter into themselves, and make a deliberate esti-

mate of the pain or pleasure that may result from a given contingency : their habits are formed from the education which the age and the physical position of the individual confer ; and they are led towards virtue or vice, in the aggregate, by the general pressure of circumstances. When, therefore, the church preaches a given virtue, its success depends upon the compatibility of the action with the position of the people ; and the same religion has seen successive ages frugal, industrious, temperate, debauched, extravagant, and luxurious. It has seen vices and virtues extinguished, to give place to new combinations, which in their turn have been succeeded by others. The same code of morality, the same religious sanctions, were respected in the canting, yet pious and energetic age of the Protectorate, and in the profligate, immoral, dissolute reign of Charles II. In both epochs the priest preached an adherence to rectitude, a respect for morals. Christianity, whether in the form of the established or of the presbyterian and independent church, was the same, in all that respects morality ; yet its influence upon the people was very different under different political and physical combinations.

The influence of religious institutions is strong, on the contrary, in all that concerns mere practices and rites. Customs, with which we have been familiar from infancy, are practised from habit, from distraction, from *ennui*. Like the fashions of our clothes, we wear them without reflection, or a perception of their peculiarity ; until they begin to

thwart some positive interest. Then the Mahometan will drink wine, the Jew eat his pork, the Hindoo neglect his purification, and the Catholic break through his fast; then the influence of the church ends, or continues only to embitter repentance, and to multiply unavailing regrets.

It is on this account that simple and primitive religions appear to have the best effects on morality: first, because they can subsist only among simple and primitive populations, where circumstances do not lead them, or rather force them to a desperate struggle for existence; and secondly, because such religions make very few claims on conduct, and prescribe only such duties as the state of the society would naturally favour. The stated return of epochs assigned to the consideration of moral topics is unquestionably useful, by leading to reflection on the real bearings of conduct, and by disseminating sound moral notions; but in this respect, established religions are to be regarded as moral institutions merely; the religious sanction being a mere accident.

With respect to this sanction, (except during epochs of fanaticism which is pure disease), it does not very generally influence conduct, and cannot safely be entrusted as the sole regulator of morals. Of this the experience of ages is a continued evidence. There are no people more habitually pious than the Irish Catholics; there are none whose circumstances more frequently drive them to desperate excesses. This familiar instance may stand in the place of thousands; but it is sufficient

to remark the little efficacy of a much more immediate, and therefore more terrible sanction, that of the law. Indeed law and religion in combination, as they are usually employed, are daily found powerless against the influence of situation. At the moment in which this work is written, the denunciations of the law are heavier and more multitudinous than they ever were; and Britain is covered with Bible distributors, meeting-houses, and societies for repressing vice: yet crime, savage and barbarous crime, was seldom more frequent.

It may perhaps be asked, would you abolish such restraints? would you leave mankind to the unassisted operation of conflicting interests, and their own sense of utility? This, indeed, is the general reply to all propositions of amelioration. But to prove a thing insufficient, is not to prove its absolute inutility; and to urge that particular institutions are inoperative by themselves, or liable to abuse, is not to assert that they cannot be brought to promote the interests of the species. In general, however, it may be observed, that in proportion as the exertions of mankind are unfettered by false institutions, the sanctions of law and of religion are less necessary to avert anarchy; while in the same proportion in which a strain upon society renders them necessary, it likewise renders them ineffectual.

The influence of things even upon the most remote and abstract speculations is observed in the history of all religions. The Jews, who were an oppressed and miserable people, alternately existing in a degrading slavery, and a fierce,

starving, and precarious independence, adopted a gloomy and a ferocious religious system, that reflected their own uneasy feelings. The religion of Greece was made up of festivity, song and cheerfulness, the image of their happy climate, and happier political institutions. The mythology of the north, like the life of its inhabitants, was all carnage and debauchery. Even Christianity itself, in its externals, is divisible into North and South; and the Catholicity of Spain and Italy is more glittering and full of sensation, than that of Germany and of our own country. The religion of Mahomet derives many of its features (and consequently much of its permanence) from the influence of climate. The prohibition of wine and pork, and the admitted plurality of wives, belong only to the warmer regions of the earth, and are foreign to the instincts developed in colder latitudes. This influence of physical causes extends also to riches and poverty, mountain and plain, cities and country. Each class and predicament has its own religious peculiarities; and even where a major force prevails to thwart and control such influences (spreading a single religion over a large portion of the earth), it is still unable totally to vanquish their activity; and they resume their entire sway, with unabated elasticity, upon the first breaking up of the combinations which have modified and circumscribed their power.

THE force of laws, which are imposed under a penal sanction, immediate and impressive, seems the most calculated for modifying public character:

and undoubtedly with respect to all that concerns administration, while a code is in full vigour, it must materially influence the population which it directs. Were this not the case, the distinction of good and bad government would be unknown; equal justice, a perfectly unshackled trade, and a press unrestrained by any tyrannical law against reason, must occasion a more perfect state of society, both moral and physical, than a code of privileges, monopolies and censures. But then, to render good institutions available, the nation, which is to benefit by them, must feel a want, a desire to possess them, sufficiently strong to generate a general volition on the subject. Where such institutions subsist, and the love of liberty is powerful, the people and the system mutually act on each other. The system gives a facile expression to public will; and the people preserve the purity of the system.

In this sense the force of institutions is intense; and they are capable of resisting great moral and even some physical shocks. But when the spirit which animates a constitution is wanting, when circumstances arise determining new volitions and new combinations, the law becomes a mere dead letter, and the feebleness of the institution is manifested in every public transaction.* At the present moment,

* This fact is well illustrated in our laws against witchcraft, which fell into abeyance when the people had obtained sufficient illumination to perceive the fallacy of the notions on which they were founded. All laws, indeed, very generally cease to be operative when they no longer correspond with public opinion.

when the institutions of Europe are very generally at variance with the intellectual and moral wants of its population, there is scarcely a nation in which the practice of politics accords with the theory of the established laws. In some we find a most jealous and restrictive system, at war alike with justice and humanity, practised under a constitutional representative system: while in others we behold laws embracing whatever is odious and abominable in despotism, rendered nugatory by the contempt and abhorrence into which they have fallen.

From this fact it may be inferred as an infallible maxim, that the granting of constitutions is not among the attributes of royalty. Where the force of opinion is very nearly balanced by the force of the sword, a formal recognition of this mode of settling the question may be advisable; the people accepting as a gift, what they are not quite strong enough to extort, nor the autocrat sufficiently powerful to withhold. But if such be only the external shew of things, if the forces be not nearly balanced, the transaction will be utterly nugatory. Either the people, being the strongest, will consolidate their acquisitions by more decided forms, or the government prevailing, will neutralize or abrogate all the liberal provisions of its gratuitous charters. The institutions of Catherine, Frederick, Joseph, Leopold, and Louis the Eighteenth, have none of them been permanent or fruitful, except in as far as they happened to coincide with the spirit of the age in which they were promulgated.

On the other hand, theoretical constitutions,

however wisely put together by a popular assembly, which represents not the general intellectual *calibre* of the people, and knows not their real wants and wishes, will be equally unable to consolidate themselves or produce practical good. Of this truth the recent times have afforded many instances, which should lead us to conclude, that the great legislators of antiquity did not invent *de novo*, but rather collected and arranged the previously existing customs and laws of the countries for which they laboured. Nothing, indeed, seems more impossible than that the laws of Sparta should have been voluntarily embraced, as an experiment by any body of men; that both sexes could have been induced by a single effort to cast away the feelings and instincts of their nature, in search of a speculative good, of which they had no previous acquaintance.

AMONG the most powerful and decisive moral influences to which our nature is subjected, education unquestionably holds the first place. Institutions, that have education for their object, are calculated to make the most lasting impressions, and to offer the most vigorous resistances to external causes. If it were possible for a man, or a set of men, to obtain a mastery over all our trains of ideas, and to give directions to all our impressions, the worst despotisms might acquire unlimited durations. This is the object to which all national systems of education tend; but in which the desire of the founders is thwarted by the dominion of things, which gives an education paramount to that of systems.

Upon the remote and abstract questions of religious faith, the influence of education is very predominant. The theological doctrines which have received our passive assent in early infancy, are not encountered on our entering the world by experimental proofs of their fallacy, such as correct the fanciful and enthusiastic notions of every-day life obtained in the school, the college, or the ideal world of books. The proofs (such as they are) which decide on the fate of religious theories, are difficult to obtain, and hard to comprehend: and argument is so opposed to argument, that discussion ordinarily tends only to increase doubt. But catechisms and early drillings confirm the child in the belief of dogmas which afterwards never enter his mind, except when it becomes necessary to transmit them, by a repetition of the process, to his own progeny. By these means, nations go on from generation to generation, entertaining the same faith respecting religions, while they vary incessantly in all that concerns practical morality.

* One great cause of this state of things is, that men in general find nothing opposed to the prejudices of their early education, but other prejudices equally remote from the possibility of being sifted and understood. With a single exception (which every reader is at liberty to interpret in his own favour); one religion offers as much to take on credit as another. Notwithstanding the infinite number of sects subsisting among Christians, there are but three modifications of opinion at all tenable: Deism, (or an entire rejection of the Gospel) Unitarianism, and Catholicism; all the rest are distinctions without differences. The doctrines and rites of the Church of England are too much like popery under another name and head.

In proportion as the education of persons is at variance with the education of things, in proportion as the notions which it is the interest of a few leading individuals to impose upon mankind are contrary to national interests, success less perfectly corresponds with the effort. In spiritual matters, the more absurd and incongruous the ideas inculcated, the more widely they become diffused : because nature and society afford not the occasions for involuntary correction ; while, on the other hand, the wider an idea is separated from our ordinary conceptions, the fewer comparisons it affords for judgment, and the greater the labour it requires for a voluntary examination. But when attempts are made to misguide the people, respecting the fundamental principles of governments, and to induce them to receive political dogmas, which are dangerous and degrading, the daily tests of experience counteract the best contrived systems, and those who cannot be converted by the head, become the proselytes of the pocket. In this affair, national schools, censorship on the press, hired declaimers and perverters of the truth, lies by suppression, and lies directly advanced, are all equally futile. The question comes home to the physical fact of sensation ; and each man, in appreciating the painful or pleasurable impressions he receives from the influence of his government, decides independently of all ratiocination concerning its character and tendency.

Of late, it has been a fashionable notion among the privileged classes, to obtain possession of public education for the express purpose of con-

tinuing the existing order of things, independently of its merits ; by instilling, *ex traduce*, an implicit belief that it is of divine origin, and the only one in which society can exist. A sudden and great anxiety after the spiritual welfare of the working classes has been affected, in order to inculcate submission and patient endurance of injury, in temporal matters. But experience has already decided the question, and proved that the evidence of fact is superior to the testimony of opinion. So well, indeed, has necessity educated the people, that it has opened their eyes to the views of the most designing of their would-be instructors ; and led them to see in Bible Societies little less than a snare for their independence, and in Lancastrian schools nothing but an implement of taxation. This is the true cause for the existing demand for the writings stigmatized as twopenny trash, and for other publications opposed to the establishment. The parties thus placed in hostility, mutually understand each other ; and the friends of “ social order, the altar, and the throne,” already begin to declaim against national education as a public evil.*

To sum, then, in a few words, the value of institu-

* National education belongs only to national government, where private interests cannot exist at the expense of the nation. “ Voilà, je pense, dans quel esprit doit être dirigée l'éducation dans une monarchie héréditaire, en y ajoutant cependant la précaution de ne repandre que très-sobrement l'instruction dans les dernières classes du peuple ; et de la borner à-peu-près à l'enseignement religieux.” — *Commentaire sur l'Esprit des Lois*.

tions in general, they are powerful as instruments for carrying into effect the existing interests of society, for confirming and strengthening habits of thought and action, which accord with the exigencies of the people : they are feeble as the means of prolonging combinations no longer compatible with national happiness, or coincident with the ideas of the age.

In their origin, be their character what it may, they must have coincided with the wisdom or the folly of the society with which they began ; and their uninterrupted continuance depends upon the stationary condition of the nation, both moral and physical. The long triumph of despotism and darkness in the middle ages, depended not so much on the wicked perfection of church discipline, as upon the weakness of the population, broken down by wars, pestilences, and poverty : for though the church was strong, the despotic monarchs were frequently reduced by that church and by the aristocracy, to the last stage of political debility ; yet they continued to reign in the plenitude of their authority.

Of the most durable institutions, the Chinese monarchy, the Catholic hierarchy, the military republic of Rome, the still more extraordinary system of Lacedæmon, have all found their permanence in the continuance of the physical causes in which they originated. Rome fell when the extent of its conquests disturbed the balance between the different orders of the state, and when riches altered the character of their wants and neces-

sities. Catholicity is daily shrinking before the operations of the press. Sparta yielded to the progress of civilization, and China will submit to new laws, when its intercourse with Europe shall give the people other arts, other objects, and other ideas, than those by which they have so long been influenced.

It is therefore a vain and an idle effort, to attempt the imposition of morality by forced and unnatural institutions, and it is absurd to expect from laws, religion, precept, or punishment, trains of national action, that are at variance with the necessities of the age and country. The wants of the animal, and the means he possesses of gratifying them, are the true elements of all his volitions. Where his power is the greatest, his functions the least unfettered, his conduct will in general be the most regular; and the society which affords to the industry of all classes a sufficient return, and prohibits, in any, an inordinate accumulation (with its trains of idleness, luxury, and fictitious necessities), is the most likely to be permanent and moral; and consequently to be prosperous and happy.

CHAP. VI.

OF RIGHT AND OBLIGATION.

IN the preceding pages it has been attempted to shew the operation of a physical necessity in the phenomena of mind, by tracing the subservience of the intellectual organs to the common laws which govern the functions of parts, whose office is purely corporeal; to prove by an analysis of moral notions, that they are the results of simple observation, derived from the action of man on man, and from that mutual dependence which belongs to the social character of the species; and finally, to exhibit a few of the circumstances most influential in determining the forms of society, and in modifying the generation of ideas of which those forms are the occasion.

In the progress of this inquiry, it has been attempted to shew that the ideas of right and of wrong have arisen from the original inequality of the species, and the fact of the stronger imposing his volitions on the weaker.

That a comparison of the order of volitions commanded, with the order of organic or spon-

taneous volitions, produced the ideas of a third order, not proceeding from command, nor from the impulses of any individual, but from the eternal nature of things ; an order which alone is consonant with the real necessities of the animal.

These developments of the moral notion of right do not, however, disturb the original connections of motive and action : for whether we act in obedience to our individual animal tendencies, or upon the commands of the law, or the rule of absolute right, we equally seek to avert the evils and attain the benefits, which nature, penal sanctions, or reason have coupled in our imaginations with the nature of the case.

This being the fact, merit and demerit belong not to the individual, in virtue of any abstract consideration of his overt acts, which are in all cases alike directed towards the same general objects ; but they are attached by the spectator, as a sentient being, obliged to regard all objects, according as they are capable of affecting him with pain or pleasure. The untutored savage places his affections indifferently upon animated and inanimate beings, upon brutes and reasoning creatures, according as they operate on his sensibility ; and if reason and experience have taught civilized man to reserve his sentiments for moral agents alone, he has still no other phrase to express his affections for the material causes of pleasure and pain, than those of love and hatred. We like sugar, and dislike aloes ; and we can say no more of the virtuous and the vicious. This does not so much arise from the

poverty of language, as from the general identity of the case: the judgment in both cases is the same, though the degree of animal movement is more intense in the one than in the other.

As it is a property of the organization to seek pleasure and to avoid pain, so is it to love the causes of the one, and to hate the causes of the other: and as experience corrects our judgments of good and evil by connecting them with the remoter consequences of action, so it separates the affections from the causes of mere sensual good and evil, to connect them with a more general and moral agency. From these considerations it has been shewn, that the association of punishment with moral delinquency is an animal action unconnected with reason; and that punishment is applicable solely to the *sentient* animal as an extrinsic motive, and not to the *moral animal* as an infliction for criminality. This leads to the consideration of the right to punish, and consequently to the subject of rights in general.

Horne Tooke, in supporting his definition of rights, that they are "things ordered," and in rebutting the objection, that this definition strikes at the imprescriptible rights of man, replies in the following words: "The right I revere is not the right adored by sycophants, the *jus vagum*, the capricious command of princes and ministers; I follow the law of God, when I follow the laws of human nature, which without any human testimony we know must proceed from God: and upon these are founded the rights of man, or

what is *ordered* for man.”* The laws of human nature, or the fitness of things, are undoubtedly the *measure* by which alone we can judge of what governments ought to expect from the citizen, or the citizen demand from the government.† And it is perfectly true, that in appealing for rights, we always refer either directly to the orders of natural law, or to those of some pre-established constitution; but, except as an *argumentum ad verecundiam* addressed to the powers that be, or as a call for support from our fellow-citizens, such appeals are very idle; for the reclamation of right will avail nothing against a major force. It becomes, therefore, necessary to examine the question still further, and to look into nature, and discover by what means men enjoy *de facto* any rights at all; for rights must have existed in practice, before they could come to be matter of speculative disquisition.

In a state of perfect savagery and independence (if such a state were possible) a man's rights would be strictly commensurate with his physical forces;

* Diversions of Purley, vol. 2, p. 14.

† This rule being only attainable by observation and *à posteriori*, may be variously interpreted by the several disputants. When, therefore, the people make a demand for rights, it is always met by the assertion, that their object is license. This is one reason for the appeal to antiquity; as if what is established is necessarily right. There is no criterion in which both parties agree: they appeal, therefore, to what is established as to matter of positive fact. Fitness cannot, then, in any case be the origin of rights: it is merely a measure for exercising them. The abstract notion is replete with doubts and uncertainties.

and his liberty would only be bounded by possibility. But since he is by nature obliged to seek the society of his species, he is by that necessity obliged to submit his actions to the *will* of those who are stronger than himself, and to the *powers of endurance* of those who are weaker. In other words, the exercise of his physical powers is limited by his sympathetic tendencies, and his individual helplessness.

In this insulated state, had it been possible to his nature, he would have enjoyed the right of doing whatever his organization permits, and no more : we cannot say that he would have had the right to fly, to digest live coals, to lift weights beyond his muscular force, merely because he was not restrained by the volitions of another man. In this state, therefore (where the restraint of persons is null, liberty absolute, and rights the most extensive), we find that the animal would be abandoned to his natural desires, to use his whole faculties to do whatever they permit in the search of happiness.

From this analysis it is clear, that the things we call *rights* are, in all cases, *powers* ; freedom of doing something ; of using the natural faculties in a given direction, unrestrained by an extrinsic force. Now it is abundantly evident, that to exercise a power, we must possess it ; and, therefore, in civil society, before an individual, or a class, can enjoy their rights, they must possess such an influence over the affections of the rest of the community, either by a moral or a physical superiority, as will neutralize resistance. For it is a

law of the animal economy, that where two men come within the sphere of each other's action, he who can most affect the other's pains and pleasures, he who is the strongest, will impose his volitions on the other. As, therefore, there is no other means by which absolute freedom can be controlled but by the volitions of a major force, so there is no means of avoiding absolute slavery, but by assuming an imposing attitude before those who would tyrannize.

In the simplest form of social nature in which man is found to exist (that of independent families), the rights and obligations of its several members flow directly from the relative strength of the male, female, and offspring. In the rudest forms of life it is the physical strength alone that governs; and the order changes with every variation in its distribution: when the father grows old, and the child becomes adult, the latter takes the command. But in proportion as civilization advances, mental superiority assumes the lead; force of volition supersedes mere physical strength, and influence unperceived creeps into authority. Thus, we often discover the servant ruling the mistress, the mistress influencing the minister, while the minister governs the king; and the affairs of the state are in this way abandoned to the meanest and most trifling interests.

It has been falsely asserted that mankind, in forming a social union with each other, mutually abandon a certain portion of their liberty, to secure a tranquil possession of the remainder. But if liber-

ty mean the power of using our faculties for the gratification of our desires, this is by no means the case : since in the worst constructed societies, an individual has an infinitely greater command over the properties of matter, than he could have in insulated independence.*

But though the whole powers of the community are thus generally increased, so as to exceed very far the sum of the constituent units, yet by the laws of organic action, the same process takes place as in the bosom of families ; and some individuals necessarily and inevitably take the lead, and impose their volitions upon their fellow-citizens, so as to derive a much greater advantage from the union than others ; giving rise to the different known forms of government, monarchies, aristocracies, theocracies, democracies, according as the power of the sword, of knowledge, of riches, or of opinion happen to be developed. In all these several arrangements, each man and each class of men seize upon as large a portion of the direction of

* “ It is said that savages want few things ; they want every thing, even the apprehension of what would be useful to them. Savages live but to exist, and they exist but in their feelings ; gluttony and waste are succeeded by hunger and dearth ; without forecast or retrospect, each day is to them a period of untried being. They are so destitute, that the Iroquois are distinguished from all other Indians as constructors of cabins : for their usual habitations are caverns prepared by nature, or of banks excavated by themselves. Such are the prerogatives, virtues, and enjoyments of men, who have not attained to civilization ; but who, rude and uncultivated, pursue their instincts and their passions.”—*Natural Government*.

affairs, as their relative strength and importance admit.

But where any such arrangement has continued for a certain time, all the parties become accustomed to their actual position, and learn to consider it as the only one to which they are entitled. Thus they are led to fancy some metaphysical quality in the idea of their *right*, and to lose sight of its physical nature, of the means by which it is insured, and the end to which it is claimed and exercised. Whereas, if such changes had been more frequent, men would have learned to attribute their position to its true causes, and would have termed their immunities more properly, not their *rights*, but their *powers*.

This process is precisely analogous to that by which the notion of the moral quality of right as opposed to wrong is developed; and the mechanism of mind requires that in qualifying duties as things right to perform, so we should esteem those powers which the situation of society permits us to enjoy, as things right to have.

It has been considered a great advantage by the advocates of a moral theory founded on the will of God, that such a system confers upon the rights of man a sacred origin, calculated to inspire respect in the powerful, and to animate the many to resist the encroachments of the few. But it is eminently unfortunate, that if we seek the will of God in deductions from the operation of things, and from the laws of nature thus declared, there is no means of giving certainty to the interpretation; so that

all parties are open to comment upon the great book, according to the suggestions of their respective interests and passions. An eminent female writer has declared monarchy, aristocracy, and the people, to be three things belonging to nature itself: although experience furnishes numerous instances of states carrying on their concerns prosperously and well, without two of these integral parts of society: but if she (who had no interests to mislead her) misinterpreted so palpably the text set before her, what may not be expected from those whose supremacy depends upon their power of misquoting and misapplying it?

The matter, however, is far worse, when we seek our foundation of right in the special revelations, of which different nations boast themselves in the possession. For concerning these, it is impossible to make all mankind agree; and it may be safely averred, at least of those that are spurious, that they are fabricated for the express purpose of enslaving and degrading the species. Of both natural and revealed religion, it may likewise be remarked, that the simple knowledge of the will of God has scarcely ever been found a motive strong enough to engage the strongest to respect his dispensations in favour of the weak.

From the beginning of time, under all circumstances of religious opinion, the liberties of man, and the question of his rights, have been discussed at the point of the sword; and the people have enjoyed much or little freedom, according as their knowledge or ignorance, their independence or

dejection of spirit, have rendered the many, stronger or weaker, than the governing few. Although, therefore, as an euphemism, or as a plèdge of the moderation of the victor, the people, when strongest, have uniformly claimed only their rights, the quantum and quality of those rights have always been measured by the resistance which has been arrayed against them.

In the gradual formation of infant states, the component individuals arrange themselves in their respective places, according to their relative strength, by a spontaneous effort, like that of the elective attractions of chemistry. Where physical force is principally concerned in the distribution of powers, many contests and revolutions may occur before the fact is established, to which side the balance leans; but where riches or knowledge enter for much into the question, especially the latter, the affair is usually decided at once; the priest announces amidst miracles, oracles, and evocations of ghosts; and the people, ignorant and timid, tremble and obey.

As, however, the knowledge and the power of the governing part of the community have never been sufficiently comprehensive to embrace all the springs of human affairs, and to master all the actions of individuals, it necessarily happens, in the progress of time, that the balance of power changes in the bosom of the state; either some new element developes itself, some new combination is formed, or the general improvement or *décadence* of the people alters their relation with the deposi-

tories of power. As long, however, as the government respects the general interests of the community, there seldom arises a question of resistance on the part of the people. But if, from any combination of circumstances, an interest grows up contrary to that of the established order, there then arises a trial of strength. The representatives of the private interest weigh the benefits of submission against those of resistance, comprising in the calculation the chances of defeat or success; and they either continue to submit, or they rebel, as the motives in favour of the one or other line of conduct predominate.

If, from a false calculation, an interest is thrown into action, which does not possess the necessary force to overturn the existing authorities, or bend them to its purpose, the parties vanquished are qualified traitors, and undergo the punishments and infamy of the law's sentence. If, on the contrary, they succeed in their attempt, and make good the *reasonableness* of their claims by proving *the strongest*, they are then termed heroes and patriots, and their names are transmitted to posterity with honours, which the cool decisions of historians may or may not confirm, but which are never questioned during the continuance of their own supremacy. This is the only source of right and obligation which is practically acknowledged, or ever has been, since the commencement of human affairs; and any attempt to place the liberties of man on another basis, will mislead the people, and turn their attention from the only

means they possess of preserving their freedom,—from the cultivation of their mental powers and their physical means, and from the maintenance of public spirit.

In this action and reaction of the governors and the governed, the force of the strongest is the source of authority, and the force of the weakest its bounds. In every national union, except the single form of government by plenary representation, the physical strength of the people is superior to that of the government; but their volitions, from the want of concentration, are so many isolated units, difficultly additionable into one sum. In the government, on the contrary, the whole force of the state is set in motion by one will, or nearly so; and it is thus brought to bear successively on each detached portion of the people, which may excite its hostility. It rarely happens that the conduct of a government is offensive to the whole mass of citizens. Many are attached even to the worst administrations by corrupt motives, some even by sentiment; and a large part of those who think unfavourably of its measures, may be restrained from action by their fears and their love of tranquillity.

This circumstance is highly favourable to the peace of society, which otherwise would be compromised upon every trifling revolution in its bosom: and it is worth remarking, that the difficulty of moving large masses increases, in proportion as the progress of civilization multiplies the motives to action, and increases the general information of

the people. A poor and ignorant multitude may be goaded by their wants, or fanatized by a demagogue, into resistance upon any slight occasion: but a people who have much to lose, and are sensible of the force of opinion, will be engaged in actual revolution, only by an oppression which passes all endurance. The British Government has remained stable without any change of dynasty for more than an hundred and thirty years; and from the time of Henry VII. to the present moment, if, as we should, we count the rebellion and the revolution as one movement, there have been very few interruptions of public tranquillity, by popular resistance, except those which arose out of that revolution; whereas, if we look to the previous history of the country, we find a succession of civil wars and public disasters, depending entirely upon the facility with which the people were stirred up to rebellion.

The cause of this change is two-fold: for not only do all the parties opposed become by the progress of civilization more thoroughly acquainted with their true interests (which are much more identical than is generally imagined), but the forces of the different classes in the state become more nearly balanced. The force of opinion which is developed among an enlightened people, serves to keep the ruling party in awe, and to moderate its impulsions; so that even in states where the liberty of the subject has had no constitutional guarantee, if opinion has been able to manifest itself, public justice has rarely been outrageously violated.

When, in the progress of time, the interests which have founded an established order become changed, the new ones, which replace them, may either subvert the existing institutions, or they may gradually undermine and corrupt them. The influence of riches and luxury in a state is generally exerted in the latter way : the influence of physical force, whether in the people, the military, or the nobility, operates in the former. The tendency of intellectual improvement is ever towards temperaments, or practical improvements of an existing institution : because the minds of men are habitually attached to those things to which they are accustomed. It requires, therefore, an immense compression of an enlightened people to force them into rebellion.

But when the oppressions of a tyrannical government impede the means of existence, and render life a burthen too heavy to endure, the volition of the people becomes concentrated upon the single point of resistance ; and, without any direct conspiracy or agreement, the public will acts as steadily as that of the most concentrated authorities. When things have arrived at this point, the condition of a government is hopeless : the merest trifle, an accident the least foreseen, and the least calculated to excite suspicion, suffices to put the mass into motion, and a revolution is effected with very little difficulty.*

From this view of society, we learn that its sub-

* “ Nec vero ulla vis imperii tanta est, quæ premente metu, possit esse diuturna.”
Cicero, de Officiis.

altern masses, the corporations, castes and corps into which it divides itself, exist in a state of libration, and like masses of brute matter, remain at rest, or nearly so, merely when there exists an equilibrium in their impelling forces. Hence the actual form and condition of every government, that is not upon the eve of change, represents with considerable accuracy the relative strength of the different classes of its society. Wherever what are called the rights of man are practically respected, there man is an object of esteem and apprehension. The citizen has wealth, intelligence, the means of influence, and the capability of action; he is exempt from debilitating prejudices; he knows with some nicety his true interests, and is prepared to assert them. When these qualities are wanting, no dead letter of a constitution can supply their place; governments, that is to say, men in office, will always assume as much power as the people will permit; and their encroachments will always come near to the confines of resistance.*

* “ Il dottissimo Vico con gran proprietà d' intelligenza pensò che quel notissimo motto di Solone (*conosciti*) fu piuttosto un precetto politico che morale. Pieno l'animo di tutti i sentimenti della vera giustizia, Solone ricordava con quel motto al oppresso popolo de riconoscersi per uomini ed eguali in dritto a coloro che li opprimevano.”

“ The learned Vico, with great plausibility, thought that the well known adage of Solon, “ know yourself,” was rather a political than a moral precept; and that Solon, imprest with a sound idea of political justice, recalled the oppressed people to a recollection of themselves; to the consideration that they were men, and equal to their oppressors.” — *Delfico, Ricerche sul vero Carattere della Giurisprudenza Romana, Napoli, 1815, p. 73.*

Wherever, on the contrary, a sovereign is omnipotent, and the laws silent, there the people are found poor, ignorant and prejudiced; overawed by slight demonstrations of force, by false doctrines, and long habits of patient suffering, unconscious of their own physical strength, and incapable of willing their own deliverance.

Such are the facts which history exhibits in relation with the rights of the people, as far as concerns their practical exercise. Had another development of ideas conferred upon them the name of powers, instead of rights, much mystery might have been avoided, and the real nature of their imprescriptibility had been clearly seen.

To assert that no specific law which violates a constitutional principle is binding, is to utter a phrase of very little meaning, because the binding force of any law is its penal sanction; and as long as the lawgiver is master of the public force, his laws, be they what they may, are binding; and to tell him that his dispositions are unjust, violent, and subversive of public happiness, will not restrain him from exercising his will. If the phrase be intended to satisfy the conscience, and to excite to resistance, it has not much more signification; since men are driven to rebellion by their instinctive impulses; very few individuals first dressing a debtor and creditor account between themselves and their tyrants.

Imprescriptible powers, however, are things of a more intelligible nature; for the forces of nature, though capable of being balanced and suspended,

are never annihilated ; and those movements which nature has impressed upon men for the preservation of their existence, cannot be controlled and checked, without an immediate diminution of force and of happiness in the whole society.

An imprescriptible power, then, is a power whose exercise is so intimately connected with human happiness, that no people will submit to abandon it, except under the pressure of a major force : and however formal the political law by which it is suspended, that law will not permanently have any weight with society, to prevent men from endeavouring to attain to the exercise of what it forbids. The contradiction of the law to the great code of nature, being matter of simple perception, whoever can feel will be instinctively impelled to refuse it any moral validity, independently of its penal sanction—though the exercise of the power is suspended, as long as the law subsists in vigour, yet the organic *nisus* to the action remains unchanged. In this sense, and in this alone, the power is imprescriptible, because no human force can alter the laws of nature.

In those states in which the rights of man are respected, where his natural powers of wholesome action are not impeded by tyrannical institutions, the whole forces of the society become rapidly developed, and the happiness and comfort of all the individuals promoted to the uttermost. Despotic states are, on the contrary, always comparatively weak ; while those in which the people, by a disposition to license, assume powers beyond

their knowledge and their force to wield, speedily fall into anarchy and confusion.

If, from the consideration of *rights*, attention be turned to the analysis of *obligations*, the argument will be still more absolutely confirmed. The idea of obligation in its moral signification, is well represented by the sensible image which the word supplies; namely, something tying down and restraining. Perfect freedom, or indifference to all modes of action, exemption from all obligations, exists not in the nature of things. Every form of matter has its determined qualities and dispositions, by which its relations with the rest of nature are fixed and determined. An acid is not free in its relations to an alkali; nor can a solid re-act in two manners upon a given impetus. The remark applies equally to artificial machinery, and to the living organization which so closely resembles it.

But if it be asked, what is the nature of this obligation? what is the cause that urges an acid to act in a given way upon an alkali, and not in any other? we answer, its physical constitution. So also the machine executes its specific movements, because the arrangement of its wheels and levers, its weights and resistances, determine necessarily one mode of action; and the same is the case with man, whose organization and sensibility are constructed and modified, so as to be thrown into definite movements by benefits and injuries, by hopes and fears; and to re-act congruously upon the application of these causes. Thus the sympathies of his na-

ture are the obligations which impel him to seek his fellow-creatures, and to live in society; and his necessities and feebleness confirm the validity of the obligation.

In like manner, all the original tendencies of the organic constitution of the animal are capable of obliging his conduct according to their motive tendency. The child is obliged by his fear and his love for his parents; and the soldiers and courts of justice of sovereigns force the obedience of subjects. The distinction between physical and moral motives, though practically useful, is not philosophically correct: for whether we act from a pleasurable or painful sensation, or from the apprehension of a painful or pleasurable consequence of a given contingency, the mechanism is precisely the same; the obligation to seek the good, and to avoid the evil, remains unaltered: and in obeying a major force, which is in opposition to our will, or to our reason, we merely acknowledge the dread of penal infliction to be more painful than the abandonment of our inclinations, or the supposed consequences of a deviation from what is fit.*

Motives, likewise, have been subdivided into prudential and obligatory; that is to say, into

* This is the meaning of Beccaria's* assertion, that obligation, in its moral sense, is the abridged sign of a ratiocination, and not of an idea: since it expresses a conclusion drawn from a comparison of the force of things with that of persons.

* “ La voce ‘obbligazione’ è un segno abbreviativo di un raziocino, e non di una idea. Cercatene una, alla parola obbligazione, e non la troverete: fate un raziocino, e intenderete voi medesimo, e sarete inteso.”

Dei Diletti, p. 10, Note.

those which determine from the hope of good, intrinsic to the transactions, and those which operate through the fear of legislative denunciations. This distinction is evidently false : since it may equally well be called *prudent* to obey the law, and *obligatory* to seek the intrinsic good. Obligation, in both cases, operates alike, compelling the animal to seek pleasurable sensation, and to avoid pain. For even when the motive is the fear of offending, or the hope of pleasing a superior being, the movements are equally directed by the animal tendency, whose fulfilment is pleasure, and whose interruption is pain. All that has been written or preached concerning the force of moral obligation, of the reasonableness of obedience, either to the laws of God or of man, come but to this fact ; and a man is just, generous, honest, or pious (whenever his actions are the result of calculation, and not of temperament), exactly for the same reason that he takes his hand out of boiling water.

That there may be, on certain occasions, some advantage in confining the term obligation to those forces which are put upon us by the influence of persons, is readily admitted ; but it would be absolutely impossible, with any respect for the real nature of our ideas, to confine the term motive to the force of things.

The perception of the fitness and utility of that line of conduct, which is qualified as virtuous or good, is a simple act of judgment, like the perception of the presence or absence of any sensible quality in an external object ; and the respect

and the esteem which men, not absolutely depraved, feel for it, even in the moment of their own deviations, is a necessary consequence of that law which subordinates all our perceptions to the search after good, and the rejection of evil.

But the perception of fitness forms but a single motive among many, and is therefore not necessarily influential in determining conduct; for though reason may rigorously demonstrate the infallibility of the general proposition, yet hope and fear will distort its application in any particular case. Besides, when the passions are highly exalted, the local and particular good or evil to which they point acquires a predominant weight in the affections, and influences far beyond its real and intrinsic value.

The perception of fitness may have its motive force increased by education, or by association with our reverence for a superior being; or its influence may be diminished by bad habits, by the accustomed indulgence of personal ideas, and the love of immediate enjoyments.

In all this there is nothing more than is observable in any of our volitions. Moralists, however, tell us that this perception is strictly obligatory, and ought always to determine conduct. If they mean by such exhortations to inculcate simply, that the suggestions of this sentiment are the most trustworthy, that they would save the individual from many errors, and conduct him the most surely to happiness, the remark is unanswerable; but if they mean by "*ought*," and "*obligatory*,"

that those terms represent a metaphysical power, independent of the ordinary laws of moral causation, which man can exert, or not exert, at pleasure, they are as far from truth, as if they asserted that the will could increase indefinitely the contractile force of the muscles.

In practice it has been universally found that this motive of fitness has not been obligatory with those who have possessed power; whence we are bound to conclude that its intrinsic force is positively less than that of the several personal impulses: and if this be the physical fact, it is absurd to suppose that any advantage is to be derived from appeals to morality, except in the case of nearly balanced forces, in which a trifling addition to either scale turns the balance. In the discussion of great political interests, it is worse than childish to pause at considerations of what ought to exist; we should stop only at the knowledge of what can be, or rather of what must be; for upon that alone can the citizen act with any hope of arriving at public happiness.

The sense of fitness is but one among many obligations; and when the blood is warm, and animal life in vigour, there are many obligations upon our nature much more peremptory and absolute. The obligations which arise out of the affections, are generally more influential than those which proceed from the calculations of reason. Thus the love of the child for his parent becomes strengthened when gratitude to the benefactor is developed and added to the mechanical impulse given by tuition. In the

same manner affection to the government is infinitely a better security for obedience than the obligations of penal statutes. The most powerful obligations to right and generous conduct are (where they exist) those which proceed from constitutional sensibility, and a natural preponderance of the social sympathies.

Whatever tendencies, in fact, are predominant in the constitution of each individual, are strictly obligatory upon his actions, as much as rotation is the obliged movement of a wheel on its axis; or as systole and diastole are the obliged actions of the heart. With respect to these, the individual has absolutely no control; and he is impotent of all those movements which are in contradiction to their dictates.

In like manner the obligations which flow from the force of persons proceed entirely from the relative weakness of the party bound. For whether the lawgiver influences through love, fear, gratitude, or a perception of utility, that influence depends equally on the want of power in the party to pursue his happiness through any other channel than submission to the ruling authority. Whenever he can escape the power, or elude the vigilance of the lawgiver, he is free from his obligation; and, upon the same principle, whenever he can consider the consequences of disobedience as more tolerable than the pain or infamy of submission, he is equally free. He who dares to die, is no longer a slave to the chances of life; he is exempt from all law, and superior to all control.

As, therefore, all right or power proceeds *de facto* from force, so all obligation is a consequence of feebleness, or a predisposition to be affected, to suffer or be benefited through the influence of the imposing party, or the predominant motive.*

This being the necessary and inevitable state of things, to what purpose should we turn to abstract modes of investigation, and search for a metaphysical right, which can influence by no sanction? Wade through the voluminous writings of a Grotius or a Puffendorf; refine, subdivide, and distinguish, and you will still fail to turn aside one absolute monarch from a single caprice! It is the real balance of power, the real feebleness of kings in the presence of each other's standing armies, and opulent and enlightened populations, that has restrained the modern governments, and induced them to listen to the prating of gownsmen, and obey the force of opinion; availing themselves of the sophistry of jurists, *ad captandum vulgus*, exactly as they make their treaties in the name of the most holy and undivided Trinity, to overawe their subjects, and lead the people to those ends which the minister desires to have effected.

But it will be asked, in objection to these views: "Are there, then, no powers belonging of right to social man; no bounds to tyranny but those of

* "As it is power, wisdom, and benevolence, that constitute sovereignty, we must suppose, on the contrary, in subjects the weakness and wants, from whence dependence arises."

Burlamaqui.

physical force?" And the reply might safely be entrusted to the experience of the last thirty years. Of what avail have been the most cogent reasons, the most recognized principles of civil rights, before the revolutionary tribunals of ultra-terrorists or of ultra-royalists? Of what avail are these rights against the arbitrary monarchs of Prussia, Austria, and the rest of the Holy Alliance of Kings against nations? Do you derive your rights from the natural law? Men in power seldom respect either nature or humanity. Do you found them upon the expressed will of God? The sanctified hypocrite does not the less openly violate the commands of the Gospel. The only appeal against the high wills and pleasures of despots is to opinion and to the sword. They indeed openly and avowedly

Build their faith upon
The holy text of pike and gun ;
Decide all controversies by
Infallible artillery ;
And prove their doctrine orthodox,
By apostolic blows and knocks.

He, therefore, is no enemy to liberty, no foe to humanity, who, turning the attention of mankind from idle and inconsequential speculations, directs it to the real sources of national prosperity. Nations of the earth ! would you have humanity respected, make it respectable ; uphold the dignity of manhood, by raising the value of man ; concentrate yourselves, co-operate with each other ; cultivate international good-will, and discourage narrow

and isolating prejudices ; for the great interests of nations are the same, wherever the animal is found,—upon every land that bears the print of his footsteps. Strengthen yourselves by information, by activity, by energy of will, by a just appreciation of causes and consequences, and tyranny is impossible !

Such might be the answer offered to the questions of objectors : but it embraces not the whole reply. There are natural bounds to tyranny ; there are principles which cannot be violated with impunity. It is indisputably true, that there exists in possibility a rule of action strictly accordant with human necessities ; a rule that would express all the relations which the organization requires to be respected between man and man ; a rule, which being observed, would render all mankind as happy as their nature permits, would increase to the utmost limits their numbers, and allow the greatest possible freedom to their individual propensities.

With reference to this rule, man has, from nature, imprescriptible rights, which cannot be denied without diminishing the sum of happiness. Wherever the knowledge of any part of this rule exists, mankind in general will tend towards its accomplishment, and will not be satisfied with any government that thwarts its operation. This tendency is a fact exercising a certain degree of influence upon the will of the stronger party : its motive power is a law of nature not to be obliterated from the code. It is, however, to be

lamented that its comparative force is so inadequate to give a wholesome direction to public affairs.

Such a rule, could it be found, would not be calculated merely for abstract men, but for beings gifted with idiosyncrasies, placed in different climates, soils, and political positions, possessing different acquired ideas, and differently modified wants.* It could not, therefore, be common to all mankind, and on that account cannot be determined *à priori*.

By the method of experiment and observation, however, enough of the greater outlines of this rule can be traced to indicate the powers which may be safely trusted to governments, and those, which should be left to the people ; in order to obtain, on the one part, permanence and security, and on the other, peace and the multiplication of means. It requires but little acquaintance with the moral and physical history of the species, to know that liberty of person, of property, and of opinion, are

* “ Pare che la natura, avida di mostrare la sua grandezza nella varietà delle sue produzioni fisiche, voglia egualmente far risplendere i suoi prodigj nella diversità dei corpi morali. Ogni governo ha le sue molle particolari che lo fanno agire. Ma quelle che lo fanno agire in un tempo, lo lasciano nel inazione in un altro. I costumi di un secolo non sono mai quelli del secolo che lo procede, ni di quello che lo siegue ; gli interessi delle nazioni se mutano come la generazione, e pochi anni di tempo, o un meridiano di distanza, bastano per render pernicioso in un tempo o in un luogo, quello che era utile in un altro tempo o in altro luogo.

Filangieri, l. 1, cap. 5.

blessings, without which no reasonable beings ought to be contented, and which no government can usurp, without enfeebling a nation in its foreign relations, and endangering its own security at home.

The wide dissemination of this knowledge is in itself a barrier against the attacks of despotism, and wherever it exists, it operates *ipso facto* to put some restraint upon the arbitrary and unprincipled volitions of the tyrant. For though it may fail to produce any positive stipulations in favour of the people, it will, at the same time, enlighten the will of the despot to his own true interests, and impose upon him by the shew of resistance, it arrays against arbitrary measures. Thus it happens that in the worst governed nations of Europe, the most abjectly beaten down to the feet of the sovereign, affairs are better administered than in the Mahometan courts. This knowledge strengthens the feeblest nations against their tyrants, and the freest against themselves: and where the rule is unknown, or disrespected, the consequent anarchy, or political debility, abundantly proves that nature cannot be violated with impunity.

But if it be replied, that the deductions thus obtained affect society generally, and are frequently inapplicable to individuals; that a tyrant may derive advantage from his despotism, and the consequences of his misrule fall only upon his innocent posterity; it may be answered, that these exceptions are less frequent than is commonly supposed, and that the same objection lies against all systems

alike. Political and moral offences abound under every existing moral and religious creed ; and where opinion and justice are unable to strike, it is rare, indeed, that other sanctions have been available, to any great extent, against oppression and injustice.

With respect to the rights which are derived from specific compacts, between prince and people, from charters, immunities, written constitutions, &c. &c. they are perfectly inert, when force or corruption enfeebles the resistance of the people, and affords the opportunity for a government to violate them with impunity. Their efficacy resides in the will and the power of the nation to see their terms fulfilled ; and the forms to which they give rise facilitate only the assertion of their stipulations. By giving a legal channel to resistance, they turn, indeed, men's minds towards independence, and substitute for associations of license and disorder, associations of regularity and propriety, which concentrate and energize the public will : but they change in no other respect the nature of things ; and leave the relations of the governor to the governed precisely as they find them.

Every condition of social existence illustrates this verity ; every where alike we find the public force distributed among the several classes of society in the strictest proportion to their relative preponderance ; and changing hands, after a short resistance, with every change in the condition of the citizens. A martial people, with arms in their hands, can rarely be enslaved ; and an enlightened nation, by perseverance, address,

and dexterity, will take advantage of every hazard, and, by keeping their object incessantly in view, will eventually extort a political supremacy, which the privileged class may have usurped under less favourable combinations.

It is, then, idle in the people to complain of the perversity of administrations, or to look to the piety of their rulers for free forms of government. Liberty, to be permanent, must be conquered and maintained by the energies of the citizens. Charters, indeed, may be *octroyées* or *déchirées*, at the will of a despot; for they are merely parchment and wax,—a dead letter, unless vivified by the courage and the virtues of those in whose favour they are made. The nations among whom liberty is declining, and the constitution growing corrupt, have only their own wilfulness and folly to accuse, which urge them to barter their substantial interests for vile and secondary advantages. Where the illumination of the people is equal to that of their governors, it is impossible for power to encroach a single step, without a voluntary retrogradation on the part of the nation. However expedient it may be to punish official malpractices, and however natural to rail against those who injure us, it is scarcely justice to strike at offences in which the judge himself is an accessory to the criminal.

That force is practically the origin of rights is illustrated by the general condition of society in almost all its branches. There is scarcely an acre of land in Europe that is not held by the tenure of the sword. The *uti possidetis* is every where the

acknowledged right of the conqueror. The *status quo ante bellum* is the universal arrangement of balanced forces or of mutual exhaustion; while *væ victis* is the measure dealt out in the name of heaven to those who are utterly defenceless.*

A real preponderance in the state will in the long-run always adjust the balance of power in favour of its depositaries. Accident may, however, occasionally give a temporary triumph to the party, which without that accident, would kick the beam. In some cases habit, in others prejudice, in others again, the mere *vis inertiae* continues an order of things, which otherwise would not endure an hour; and thus we see, what in loose language may be called the stronger party, obedient to the weaker. In this case, however, the accident in question, the habit, the prejudice, the *vis inertiae*, or whatever else it may be, is a real obligation on the people, a tie upon their action, an impediment upon the exercise of their force, a *minus* quantity in their political account, which really adjusts the balance in favour of their oppressors. But inasmuch as such circumstances are mere accidents, they cannot possess great stability; and when they pass away, power instantly changes hands. In the state of things where these accidents have a temporary supremacy, usurped authority is always maintained by a *tour de force*; and its possessor, like a rope-dancer, is called upon for efforts which expose him to the danger of a fall, or at best, exhaust with rapidity all his energy and activity.

* Genoa, Poland, Saxony, Parga, the Seven Islands, &c. &c.

The most destructive inferiority in the governing caste, is inferiority of knowledge. This begets insolence in triumph, and pretension to the exercise of powers, which the party cannot wield; while the frequent display it occasions of incapacity, breaks down all those ramparts of opinion, which are the best defence of the few against the many.

The end of society being the multiplication of power, it follows that those rights only can in prudence be claimed, or with safety conceded, which can be enjoyed compatibly with that object. The exercise, by a triumphant faction, of powers greater than they have knowledge to direct, will speedily cripple the energies of a state, and finally overthrow their own brief authority. From the nature of things this evil is intrinsically inherent in arbitrary governments, through the overweening ambition of unopposed authority, and the utter incapacity of one mind, however vigorous, to grasp all the affairs of a great nation: yet the error is with pertinacity charged against democratical governments, as if they alone were liable to the imputation. The license and anarchy which appear so conspicuous in the excesses of some popular governments, are transitory evils, for the most part chargeable upon the ignorance of the times; but the abuse of kingly and aristocratical government, the license, (which under the imposing names of justice, social order, religion, wholesome discipline, legitimate rule, &c. &c., conceals the total insecurity of person and property, and adds

the meanness of hypocrisy to the criminality of tyranny), is far more destructive of happiness, and exhausts more completely the means of the nation ; while it brutifies the population, and renders it unfit for self-government, should circumstances ever occur that might be favourable to a better political system, and to a restoration of freedom.

“ A right,” being, as here laid down, but a synonyme for a power, it remains to inquire what is the nature and obligation of the *jus gentium* ; and the problem is not difficult to solve. The code itself, as an abstract theory, is, or ought to be, nothing but a deduction from the laws of nature ; a delineation of practices, which, being adopted in the conduct of international affairs, would conduce to lessening the frequency and the horrors of war, and would promote the general welfare of man. As an active and influential force, the obligation of the *jus gentium* lies in the reasonableness of its dictates, and in the weight of opinion.

Among savage and illiterate communities, war is a resolution of all civil ties. But in proportion as mankind become civilized, the people, rising in knowledge and power, have finer sympathies, and a nicer feeling of propriety ; and they become a check upon the wilfulness and authority of kings, who cannot carry on their wars, but by the tacit consent, and real co-operation of the nation.

The co-existence of several equipollent states within the sphere of each other's action, becomes a still more powerful restraint in the management

of affairs. A sovereign, in beginning a war under these circumstances, finds a positive increase of force, in persuading his own people, and those of the surrounding states, that his enterprize is one of justice and of legitimate self-defence. He, therefore, issues his manifestoes, and endeavours to paint his cause in the most advantageous colours; and, for this purpose, he appeals to treaties, to usages, to history, and to the common sense of the case; and thus habits might have been formed and a customary code established, long before jurists ever wrote a line on the subject.

The sanctions of this system of *right*, which oblige kings to its observance, are the possibility of being deserted by their people on the one hand, or on the other of being involved in overwhelming war with the neighbouring states. Where these punishments do not apply, the law of nations is a mere dead letter; and where they do, the governors of states are incessantly at work to elude its decrees. In a very recent instance, certain kings have been able to set them at defiance; and they have accordingly disposed of the smaller states, which lay at their mercy, without the slightest apparent regard to justice or to humanity.

In the best times, the whole effort of international policy is "to keep the word of promise to the ear, and break it to the sense." Treaties, destined it is said to last for ever, are stipulated in the name of the Holy and undivided Trinity, which in reality are meant as mere suspensions of hostility; and in which every article proposed is a snare for the credulity

of the opposite contracting party. On all sides this boasted system of laws is only so far respected, as it may conduce to the interests of the observant : and when an opportunity occurs for striking a blow, and effecting a great purpose, it is very generally violated and derided.

FROM the foregoing observations we may conclude, that the term “right,” whether as adjective or substantive, cannot with etymological propriety be used, except in reference to some pre-established code, or authority, having the means of sanctioning its decrees by a penal consequence.

Right conduct, in this sense, is that which is *ordered*, either by the laws of nature, whose sanction is in their own operation, or by the supreme force of the community, whose sanction is in the privations and misery which that force can inflict on those who resist its volitions ; or lastly, by a code emanating, or supposed to emanate, from superhuman authority, whose sanctions are supernatural pains and pleasures in another world,—supplementary to those pains and pleasures that flow from the connections of cause and effect in the operations of nature.

A person is usually said to have *a right* to things, either when the law awards them, or when our knowledge warrants the inference that humanity will be benefited by that person’s enjoyment of them. This benefit may be either the direct consequence of the individual’s right, or it may be indirectly placed in the security of a general prin-

ciple, which cannot be violated in a single instance without endangering its general applications.

But though the reasonableness and propriety of exercising any right can only be measured by its application to such a rule, and though the term be adopted by a sort of modesty, the things themselves, sought under this denomination, are powers ; and the assertion of them can succeed only through the demonstration of a moral or physical force, adequate for their maintenance and exercise. It is, therefore, a vicious expression to say, that a man has a right to perform a given duty. Society, indeed, has a right to demand so much of him, and he is obliged to obey, or to pay the forfeiture of his disobedience ; but to say that a man has a right to be compelled, a right to suffer infliction, a *power* to be *weak*, is a manifest confusion of ideas and of language.

The meaning obscurely to be traced in this phrase is simply that, according to some standard of action, some rule for the measurement of conduct, it is right or ordered, that a man should do the thing in question ; but the right is not his : it is the right of the imposing authority ; and it is his obligation or duty.

The ground being thus cleared, the nature of particular rights is not difficult to demonstrate : and first, of the right to punish. Every society having an object, its interests must suffer whenever the actions of an individual thwart that object. Those, therefore, who have possession of the public force, are instinctively led to punish the offender.

It is a mode of action to which they are impelled by the laws of their organization; and the right, or power, being derived from nature, is bounded only by the physical resistance which it may meet from the offender, or from those who place themselves in the same category with him. The repetition of such transactions begets precedents; precedents strengthen into rules, and rules, finally, are converted into promulgated laws. Thus mankind, by their own instinctive movements, acquire a penal code, with its sanctioning consequences.

The right to punish stands, then, on the same grounds as the right to eat, to walk, or to perform any other natural functions of the body; that is to say, on the power which the organization gives, not only of doing the muscular action, but of increasing the sum of happiness in the sentient being so exerting itself.

In the public authorities, the *right to punish* is their power: with respect to the people, the *obligation to submit* lies in the advantage the nation derives from the operation of the law, or from its incapability of resisting those in command. If the law be unreasonable, the interest in obedience becomes lessened; and this, diminishing the power of the legislator, circumscribes his rights within some bounds of reason.

In any other sense than this, it is absurd to say that the supreme power has no right; for it is restrained by no real obligation. The written constitution to which it may in propriety be bound to submit its volitions, has no inherent principle of

activity, except in as far as it is animated by the courage and virtue of the citizens ; and the supreme authority will obey its injunctions no longer than the people are vigilant to punish transgression.

The obscurity which has enveloped this question lies in the vagueness with which the term “right” is employed, sometimes to signify the rule and sometimes the reason. If the mind be steadily fixed upon the etymology of the word, there is no room for error. A right line, is a line ordered to be drawn in a certain way:—theoretically, the shortest between two points ; practically, by the direction of a ruler. Had men so arranged it, the term might equally well have applied to a line *ordered* to be drawn with a compass, equally distant in all its parts, from the point called its centre. In like manner, right conduct is the conduct ordered by the ruling authority, that has command over our volitions, by an absolute mastery of our pains and pleasures ; whether that power please to direct a circular or a rectilinear movement. This being the only sense in which the word can be employed with precision, it follows, that such phrases as “God has a right,” the “Supreme Power has a right,” meaning always an obligation, are sheer nonsense.

God, like any other being, must be considered as obliged by his own attributes, and as having in them a reason for what he does ; a reason, too, upon which man is warranted in depending, in the inferences he may draw. So also the depositories of supreme earthly power in the state must have

motives deducible from their interests, both as governors and as men, which ought in common sense to influence their conduct; and which, in fact, do place bounds to their liberty of action. But in reference to these we should say, that God and the supreme power have reason to do, or not to do, a thing; but we cannot in propriety say that they have a right to observe a given rule.

The claim of right, therefore, which is made by the people upon their governors, is of no avail but as an appeal to their reason, to their interests, and their passions; both when it refers to the nature of things generally, and when it is founded upon some constitutional arrangement, whose reasonableness is presupposed; and it amounts pretty generally to this, that "the thing demanded is so equitable and proper, that you cannot refuse it, without endangering your reputation with the people, and so compromising your own safety."

In any other sense than this, "imprescriptible rights," which, in point of fact, are borne down and trampled upon, as often as a knave has two or three hundred thousand armed ruffians to impose upon mankind, is a phrase worse than foolish; for it is eminently dangerous. If the people, relying upon its import, demand such rights without being able to make good their claim, they will most assuredly find a prescribing force in ropes and bayonets, that will, by the simplest process, convert their rights into outrage and insurrection.

The right to punish is so much a matter of mere physical superiority, that the character of all legal and political institutions is a pure reflection of the passions and interests of the imposing party. Every code of laws is in fact a corollary, from the manner in which the public force of the state is distributed. Where the laws are made by the people, they derive a moderation from the double relation of the lawgiver, who is at once lord and subject. The possibility of becoming the victim of penal enactment, fetters the passions of the legislator, and leads him frequently back to the recollection that he is operating upon man. When the laws flow from the will of an individual, this check is wanting; the despot cannot say *haud ignara mali*, nor yet feel the energizing *jam proximus ardet*; he acquires (for such is the weakness of human nature) an idea that he is of a better clay than the rest of mankind, an animal of an higher species; and sympathy dies within his bosom, while violence and brute force are stamped on all his capricious volitions. It is on this account that the very best codes, being made exclusively by men, are unjust in their enactments concerning women; and for the same reason the laws of England, being made by landed proprietors, are severe to the tenant and favour the landlord.

If the right to punish were, in fact, founded upon any other obligation than that of being sufficiently powerful to execute our will, criminals would be at liberty to plead the abstract injustice

of a law, and so to withdraw themselves from its operation. Thus, in a case of libel, the defendant might urge that what he had written was true, and that truth is no crime ; but that, on the contrary, truth spoken in defiance of power, and in the cause of one's country, is a virtue, which all well constituted governments should respect. He might safely say, that the rule of law which confounds truth and falsehood is at variance with common sense, and the eternal nature of things ; that the pretence of preserving the peace is a barefaced sophistry, since he who commits a crime, breaks the peace, and not he who denounces it.* He

* This fiction of law is supported upon another, still more atrociously at variance with reality ; namely, that there is no injury for which the law has not a redress. Upon this axiom the lawyers build the sophism, that, the courts being open against public delinquents, there can be no utility or necessity for an appeal to opinion. The refutation of this foolish pretence seems quite unnecessary ; who is so ignorant as not to know that there are abundant injuries for which not only the law has no remedy, but for which no law possibly can have a remedy ? Ministerial delinquency, more especially, seldom consists of tangible overt acts, but of numberless unqualifiable offences, tending to the great injury of annihilating public liberty. It is not, therefore, the punishment, but the displacing of a minister that is sought : and if the people have a claim to govern themselves, it is reasonable that they should have a power of publishing their notions concerning public functionaries. Again, it is to be remembered, that a minister will seldom commence a criminal course, without the sanction of a corrupt and unlawful co-operation of the public authorities ; and against this, opinion alone can prevail. Appeals to law, or to legislative assemblies, in this case, are mere *verbiage*.

might urge, likewise, that this dogma was laid down perversely, and of malice, by ermined conspirators against the liberties of their country ; that the pretension is insolent, and the plea a falsehood, manifestly put forward for the purpose of mastering opinion and maintaining error.

Now if the punishment of any criminal be founded upon any principle of moral right, this plea must be available : because, if the right flow from the laws of nature, nothing can be more distinct in nature, than truth and falsehood ; and if it be founded on God's expressed will, the revelation teaches " to be just and fear not." If on the other hand, the right be deduced from the tacit compact we call our constitution ; that constitution directs that one crime shall not be punished under the pretence of another ; and detraction, and breaking the peace, are two distinct offences.

What, however will justice reply to this ? It will put on the solemn, composed countenance of mock-dignity and importance. It will cry scandal against the defendant, or commit to gaol for contempt of court. It will cite authorities, and repeat the refuted propositions, as if they were unanswerable arguments ; and it will finally mulct and imprison, because such is the law, and such the will and the pleasure of the power by which that law is upheld.*

* The punishment of libel against the established religion is an act of brute force, and a flat contradiction to the right of private judgment, on which the Protestant church is founded.

A still stronger case, however, than this may be made out. Suppose the case of an oligarchy usurping the reins of government ; and so misruling, that the whole face of the country should be covered with distress and ruin, the taxation enormous, the facility of labour impeded, and commerce beaten to the earth, by the mismanagement of the usurping authorities. Suppose, as might naturally be expected, that this condition of affairs should excite murmur and indignation, and suppose that these usurping authorities, fearful for their own emoluments, should prevail with the mock representatives of the people to subvert the fundamental laws of the land, and to put unconstitutional restrictions upon public and private liberty : in this case, if the right to punish had any real basis, save only the power to strike, would not the rule be available, in abatement of the exception ?

Laws, it has already been said, have their origin in vengeance, and the spirit of this vengeance is even now manifested in the forms of our penal code, which put forward the personal wrong of the

It rests precisely on the same principle as brought the Protestants to the stake, in the reign of Mary, and dragooned the Huguenots under Louis XIV. If in practice less bloody, in principle it is not less odious and absurd. "What," it will perhaps be said, according to the usual mode of begging the whole question, "will you then suffer *holy things* to be abused?" Certainly not : but to examine is not to abuse, and even ridicule itself, the argument most decried, because most feared, must fail when misapplied to things really holy. He who should attempt to prop Euclid by restrictions on the press, would be deemed insane ; and nobody dreads the possibility of ridiculing Newton.

king, instead of the injury done to society. It is to the prevalence of this notion that we may, likewise, trace the innumerable vexations and practical injustices which vitiate and disgrace the tribunals of Europe; the question, torture, the denial of advocates, the refusal of a specification of charges the giving the last word to the accuser, the difference of proof requisite in public and in private cases,* the disproportioned and barbarous punishments scarce yet completely banished from the courts of the most enlightened nations.

It was not till a very recent period that man began to perceive that the accumulation of injury upon injury, of wrong upon wrong, and of violence upon violence, is contrary to the true interests of the species. It required considerable force of observation, to remark that punishments are useful merely as examples, as motives influencing the will; and to discover that in order to render them serviceable, they must be made proportionate to the occasions to which they apply, and to the interests they are intended to uphold. A still greater effort of reflexion was requisite to perceive

* It is but lately that in Ireland, two witnesses have been required to convict of treason. During the rebellion of 1798, there is reason to suppose that many innocent persons perished by the perjury of a solitary witness. This fact, as it is reported, having been noticed by Mr. W. Curran, in his life of his father, attracted the attention of the Edinburgh Review, and through that journal was brought home to the recollection of Lord Holland: who carried a bill through the Houses for assimilating the law of treason in Ireland in this particular to that of England. Such is the benefit of a free press, even in its most ordinary operations, and such the power it gives to an individual of benefiting mankind.

that punishment is one motive only among many, and that its place is better supplied by arrangements which diminish temptation, and render crime less necessary or less seductive, and by an education which places human interests in the clearest point of view, and protects the subject from false calculations and absurd prejudices.

The generation of these ideas required the previous existence of popular governments, which should exhibit approaches to such an order of things, derived from the natural action of man upon man, and from the spontaneous arrangement of interests, which takes place where all are consulted. Philanthropy and philosophy coming after, discover and diffuse the knowledge of the relations latent under these facts, and thus place the interests of the governed and the governor in greater approximation. But the eternal nature of things remains the same. The law continues to be the will of the strongest, although a more enlightened and reasonable will, than the volitions of a despot.

Whichever way the eye turns, proofs and illustrations of this verity multiply. The actual possessors of power uniformly seize upon the privileges most consonant to their desires; instituting monopolies, and arrogating rights over the common gifts of nature, the game, the fish of rivers and of the sea, and even the goods of shipwrecked mariners, which the fury of the elements may drive upon their coasts; while they visit offences against these false and absurd enactments, by punishments more proportioned to the jealous personality of the lawgivers, than the relation of the crime to society.

It is an acknowledged axiom of the British constitution, that no taxes can be levied without the consent of the subject; it is an equally acknowledged fact, that the majority of the people are not represented in Parliament; yet should any of the non-represented refuse to pay their taxes, or should they attempt to subvert the existing order of things, they would be most severely punished. In natural equity, in reason, and in good order, punishment should fall upon the subverters of popular rights; but force visits infliction upon those who would assert them. No sophistry, no legal quibble can alter the relation of these facts, or justify the existing order, on any plea but that of force.

But, to go further from home, the various proscriptions which accompanied each new step in the French revolution, were barefaced acts of unbridled power, though conducted under the false appearance of forms of law: nor is there any real difference between these self-styled legal acts of a government, and the popular re-actions termed assassination and plunder. Napoleon violating the constitutions of the empire, and Louis the XVIIIth breaking the treaty of Paris, differ in nothing from Septembrizers and Terrorists. In both cases it is force prevailing over equity; but as long as a government subsists, its volitions must wear the mask of justice; because those volitions are the sole fountains from which the laws of the country can proceed.

According to the law of nations, the perfect subjection of a state, confirmed by treaty, cuts off the *jus postliminii*, upon a future reconquest. But

when, on the fall of Napoleon, the old governments resumed the supreme power, these reveries and equitable distinctions of doctors were never respected.*

Such being the nature of things, and the will of the strongest being, in all ages and countries, *ipso facto* the law, (subject only to the obligation of not shocking all prejudices, outraging all opinions, and so energizing the many to the assertion of their own physical superiority ;) to what political purpose should we exhaust ingenuity, in searching after moral sanctions which experience has uniformly found too feeble to bind the will. This mode of inquiry seems a mere waste of time, which will be better employed in tracing the interests of governor and governed, and enlightening their reason ; so as to bring their volitions to as near a coincidence as the respective relations will admit. On this ground stands the necessity for organic laws, vesting the right to repair and maintain the constitution in other hands than the ordinary legislative and executive authorities. As long as the ordinary legislature acknowledges no superior, and is bound by no obligation to quadrate its enactments by constitutional opinions, there can be no security for the permanence of the system ; nor any means of restoring decayed institutions, save those of brute force, which tend rather to revolu-

* In Genoa, Bologna, and other places, not only were the revolutionary governments overthrown, contrary to the law of nations, but the old institutions also which subsisted before the revolution, were set on one side, to make room for new arrangements, under the pretence that the re-occupation of the legitimate thrones was an act of conquest.

tion than to renovation. Had such a power been lodged in a third corps of the state in England, the question of reform had long ago been set at rest, to the mutual advantage of all the contending parties.

The discussion of this question of right has, perhaps, been carried to a disproportionate length; but the clear distinction of the several ideas involved is of considerable importance. It is owing to the confusion which prevails in men's minds concerning this point, that so much altercation has taken place concerning the sovereignty of the people, the legitimacy of kings, the right to punish capitally, the right of the British House of Commons to vote itself septennial, &c. &c. In all these cases the use of the term right has led to inextricable difficulties. If the arrogated right refer to a rule, then, to give it validity, man must have the power to bind his children to the remotest posterity. It is, in this case, sufficient that our ancestors made such and such arrangements, to compel us to submit to them to all eternity. If, on the contrary, the right refer to reason, then the question is nugatory : since both parties claim to have reason with themselves ; and since reason is not admitted, by existing authorities, to weigh against establishments, "the wisdom of our ancestors," or their own volitions. Thus, in the jostle of contradictory metaphysical notions, men are led into endless disputes, intended to enlighten their conscience, but calculated only to puzzle their will. Whereas, if the physical fact were once clearly acknowledged, that we hold all our rights, natural

and civil, from the exercise of our organic functions, and that it is to no purpose that a given power should be legally in our possession, if, in fact, we do not and cannot exert it, then there would arise but two questions among men : Have we really the power of arranging public affairs at our pleasure ? and if so, is it reasonable and advantageous to humanity that we should arrange them in this or that manner ? There would be no idle appeals to history and to precedent ; there would be no occasion to ask what our ignorant and ferocious ancestors did a thousand years ago in a particular case ; we should inquire merely how does this law or that power act in the great machine of society ? Does it produce evil or good ? Does it promote happiness or misery ?

The question of the right to punish capitally, would thus resolve itself into a few questions of fact : Does putting a criminal to death, effectually prevent crime ? Does the crime in question cause as much suffering as attends a capital punishment ? Will no other means, less violent, effect the same end equally well, and with equal certainty ? In one word, does society gain or lose by the practice ? In all this, there are few complex ideas to unravel, there are no metaphysical distinctions to draw. It is a mere question of sensation ; and society, when consulted, may at once determine how they feel on the subject.

The vast effect of civilization upon human happiness is beautifully illustrated in the history of this single relation of crime and punishment. In the earlier epochs of society, the wildest and most

personal suggestions of revenge were the measure of justice meted out by individuals towards each other, —a measure which worked innumerable woes, and cramped the energies of the species within the narrowest boundaries. With the first dawnings of civilization, the execution of revenge was taken from the individual, and given to a public authority; by which step the tide of evil stopped with the punishment of the criminal, and outrage did not beget outrage, as when family feuds descend from father to son through many generations.

Passion, thus losing its personality, likewise became disposed to listen more readily to the voice of reason, and punishments lost something of their sanguinary atrocity; while the revenge of private wrongs became gradually exchanged for the preservation of public tranquillity; and, in the progress of time, this end was in its turn rendered secondary to the reformation of the offender. Such has been the march of intellect in its search after truth; and in this course, an interest (essential indeed to self-preservation, but in its necessary abuses dangerous to society) has been converted into an enlarged and comprehensive principle of philosophy, the protector of morals, and the diffusive agent of peace and happiness.

Standing, as we do, upon this intellectual elevation, and casting back our gaze upon the darkness from which we have emerged, the first reflection which suggests itself is the rapidity of our latest progress. If the condition of our knowledge three hundred years back be compared with our present ideas, we cannot but be filled with awe and

admiration at the attainment of the latter ages, and with pity and surprise at the almost stationary condition of mind, during the many centuries which preceded them. A moment's consideration, however, gives the key to this mystery : the instrument of so much improvement, the engine of such astonishing power, is the printing press. The fabled imaginings of antiquity, the eyes of Argus, the multiplied heads and arms of Briareus, are poor and cold conceits, beside the real development of knowledge and of power derived from this source, which renders the present race, as compared with the ancient, truly gigantic. From the highest range of science to the most humble gratifications of sensual enjoyment, from the measurement of the heavens to the manufacture of a pin, the influence of the press obtrudes itself on the dullest intellects. Glory and reverence to its honoured inventors ! and tenfold confusion and disgrace be upon him whose unhallowed touch or polluted breath shall be put forth to check its triumph, or to impede its march !

Concerning the right of property there is little to add. The relation itself arises immediately out of the organization ; for the being whose existence is entwined with a series of wants and of gratifications, the materials of which do not exist in an indefinite abundance, but require to be prepared by labour, and adapted to their purposes, must have possessions or perish.

The process by which the fact of possession has given rise to the idea of a right in property has been explained. The view which has just been

taken of rights in general, throws some additional light upon that explanation. The physical inability of an insulated and independent individual to protect his property from the assaults of other independent individuals, is self-evident. In the imaginary state of nature, property could have no existence ; for its possession would be so precarious, that no one would extend his views beyond the necessities of the moment.

Property, therefore, is a power gained by the human race, through the operation of their social affections ; and so important is this power, that it may be said to be the great end of civil and political union. Accordingly, as already has been remarked, wherever a government is so unjust in its arrangements, as to cut off the industrious from the possibility of obtaining an adequate reward for their labours, the people lose all their respect for social institutions, and indulge in the most uncivilized habits and crimes.

Property thus emanating from the combined operation of society, and only existing under the protection of a public force, it follows that the arrangements, under which it is held, must, in the nature of things, flow from the will by which that force is put into activity. Although, therefore, a very perverse and capricious determination of that will, would so far diminish the sum of social power, as to throw society into a state of terrible barbarity, or, if exercised suddenly, to produce a desperate reaction against the governing party ; yet, short of this point, the law, that is to say, the will of the sovereign power, must ever determine the rights of

the citizen both as to possession, and to disposition *post mortem*.

We are, however, frequently told, that it is very hard that a man may not bequeath his property as he pleases, that what he has is his, &c. &c. But, as a dead man cannot physically possess any thing, his will can have no efficacy, but in as far as it coincides with the will of the community. It is not, therefore, the testator that gives, but the state, which, in determining what shall be done with goods no longer claimable by any living being, decides that the testator shall have a certain voice in the matter.

The reasons of this decision are sufficiently obvious; but if other motives, more influential, should lead the lawgiver to adopt other arrangements, nature having given the citizen no power to hold under any other tenure than the public will, his rights cannot be said to be violated by such a determination. The sovereign power, in a state, may thus limit descents, re-divide the lands, pass agrarian laws, or hold the whole land in common for the benefit of all. It is on this ground that it has claims upon the land for taxes, for tythes, &c., for it is in the dependence of the individual upon society, that alone consists his obligation to pay these, or any other prescribed dues.*

In all revolutions, therefore, the possessors of confiscated property hold by as good a title as the

* In Piedmont, the king suspends the law of debtor and creditor, in favour of his courtiers, at pleasure, and there exists no power capable of restricting this *right*.

old proprietors. The insecurity of their tenure does not lie in the uncertainty in the metaphysical right of the individual,* but in the instability of the power from which the laws flow. A new sovereign (whether a despot or a legislative body) may come into possession, and will a different order of things; before whom individuals have no powers, while they are bound by multiplied obligations.

In every revolution, therefore, many partial injustices are committed, private interests giving way to public necessities: but in every case in which the depositaries of power (be they legitimate, or of yesterday only) attack the means of subsistence of the many, or merely excite alarms respecting its security, the people put forth their physical strength, and by assuming a will of their own, make a new and more equitable distribution of property. Thus the law indeed changes, but its sanction remains unaltered; and this embraces the whole theory of the French revolution.

The question of tithes thus becomes materially simplified. The supporters of this right of the clergy plead the validity of the original donation. But in abstract fairness the present generation has as good a claim to resume, as the former one had to grant the tythes. We have no more pretence to enslave the land than the persons of posterity;

* The old possessor, it is true, has in his favour a *power* derived from the prejudices and habits of the people; who, having been accustomed to see him in possession, imagine that his extrusion is disorderly. The opposition of this force of opinion, however, forms part of the instability of the new authorities.

because society has at all times a necessity for the whole productive powers of the earth. Taxes, therefore, can derive no validity from prescription, and they can be permanently claimed only by a tacit agreement of the existing authorities. In point of fact, there is not, nor cannot be, any force in the volitions of dead men, beyond the intrinsic force of fitness: otherwise, no established nuisance could ever be abated.* The clergy, therefore, must be contented to abide by their own merits; for if the Legislature see good, they have in equity as in fact, the power to commute or abolish this tax; without any other obligation upon their will than the utility of the case, and the fair claims of existing incumbents, which it is reasonable and prudent to respect.

It is probable that, in the early stages of civilization land would very generally be held in common: but in almost all the countries of the known world, it is actually vested in individuals by the power of the sword. The Romans forcibly extruded the proprietors of conquered provinces

* Tithes were moreover granted to the clergy in consideration of services to be performed: they are not, therefore, simple possessions: if society need not these services, the compact, in the nature of things, ceases. If the people can pass a law to prohibit the ordination of priests, they can, *à fortiori*, regulate the mode of paying them. Tithes do not, in fact, belong to the incumbent, but to the church, an *ens rationis*, or metaphysical entity. The church is part of the state, another being of the same description. Getting rid of these abstractions, we find that the right is vested, and can be vested, in the people alone. The usufruct is in the incumbent, subject to conditions changeable at the pleasure of the people.

whenever it suited their convenience; and the northern tribes who overthrew the Roman empire, pursued more rigorously the same plan. The state of Pennsylvania alone purchased its territory from its ancient proprietors. Ireland was granted to England by the Pope, subject to the small contingency of mastering or exterminating the natives; and South America was given on the same terms to the sovereigns of Spain.

When for any length of time a state has existed without violent revolutions, and consequent confiscations of property, estates descending from father to son in a regular course, beget the notion, that this order has something in its favour more than the convenience of the arrangement; and thus the right even of primogeniture comes to be respected, as if founded in nature. But in countries subject to frequent changes, the notions derived from fact prevail over those of order and fitness; and property passes violently away from one person to another, without exciting much sensation. In Turkey, the sovereign is deemed sole proprietor of the soil, and his will in this respect is undisputed.

Liberty of property, therefore, like all other rights, is a power resting in reality upon the mode in which the public force is distributed, and upon the weight of opinion in public affairs. It is a power, however, which cannot be restricted beyond certain bounds, without great and pregnant mischief to society: and there is no proposition more true, than that despotism acts like the savage, who, to possess the fruit, cuts down the tree.

The tenure of personal liberty is placed upon the same basis as that of all other rights.* Every man is the slave of another, in as far as his pleasures and pains are liable to be affected by him ; and no one can control the movements of his fellow creatures, but by commanding the motives which will induce them to submit. Even the very beasts of the field are tamed by no other instrumentality.

In the early stages of society, the natural inequality of man is much greater than in civilized states, in which the meanest individual derives an importance and weight, from that of the class to which he belongs : for the different castes increasing in numbers as they lose in rank and fortune, the lowest retain a means of influence which can never be safely despised

After a certain stage of advancement, slavery would become physically impossible ; the quantity of diffused information, and the concentration of interests, fully enabling the lowest classes of society to assert their independence.

It may be doubted, indeed, whether that accursed institution could have subsisted so long as it has done in the colonies, if the whole force of civilization had not been brought to bear upon a

* Φῆν, οὐκ ἔστι θνητῶν ὅστις ἔσθ' ἐλεύθερος.

Ἡ χρημάτων γὰρ δ' ἄλός ἐστιν, ἢ τύχης,

Ἡ πλῆθος αὐτον πόλεος ἢ νόμων γραφαὶ

Εἰργουσι χρῆσθαι μὴ κατὰ γνωμην τρόποις.

Eurip. Hecuba, 865.

savage and helpless race, which adds to the grossest ignorance, an organic structure, possessing fewer resources than those of the white man.

Personal and domestic slavery notoriously had their origin in war ; and servile wars always impended over the nations, among whom slaves were numerous. The state of slavery is so incongenial with the natural wants and desires of the species, that nothing but the strongest extrinsic motives can reconcile a man to submit to it. There is nothing in the order of nature calculated to render the state permanent. No time, no habit, can impress the sufferer with a notion that his situation is co-ordinate with any social or natural rule. The idea of force and of exception is ever uppermost on his mind, and the notion of his master's right can never be converted into that of fitness. Yet the physiological process of obligation is the same with the slave and the hired servant ; and the fear of starvation which compels the latter to work for money, is, perhaps, as terrible, and it certainly is more imperative, than the fear of corporal punishment, which operates on the latter and reduces him to submission.

The intrinsic difference between the two situations is, that the subservience of the servant is an obligation imposed by nature, and its fulfilment consequently productive of an increase of happiness ; while that of the slave is an imposition of men in hostility to the interests of the species, and therefore a source of unhappiness.

The exercise of a power over the personal liberty

of our fellow-creatures is not a means of increasing but of diminishing our resources.* Wherever the institution of slavery prevails, labour is more expensive than among societies of freemen. Dearthness of labour is loss of power, and it affords an almost invincible obstacle to social improvement. The injury inflicted directly upon morals by so debasing a condition of humanity is a still more terrible evil, pregnant with multiplied sources of suffering to the master, no less than to the slave; while a nation occupied by a population of slaves, can rarely put out its whole strength in contest with its neighbours. If rights, therefore, be powers of promoting happiness, by the free exercise of our organs in particular directions, the possession of slaves comes not within that predicament. It is a power of doing ourselves mischief, a license, an abuse, a miscalculation of ignorance, which no wise community will permit.

Thus, both with respect to the master and the slave, slavery cannot be called or considered as a right; since, on the one hand, it is a power which cannot be wielded with advantage; and, on the other, will not be submitted to, but through the constant infliction of external violence. The power of enslaving receives a still more rigid circumscription, as civilization advances, from the development of the social sympathies. In a really civilized society, all the best feelings of nature revolt at an institution, which inflicts misery upon so

* Dr. Henry asserts that slavery was disused in England, because masters found their work to be done cheaper by hired servants than by slaves.—*Hist. of England*, b. 5, ch. 3.

large a portion of the species ; and the uneasy sensations thus begotten become motives for putting into action the energies of the wisest and the best members of the community. Thus an immense force of opinion is developed, which experience has found sufficient for mastering all the resistance of personal wilfulness.

Divines have been disposed to arrogate to themselves this improvement in civil life ; although the slave-masters, who opposed with all their forces the Abolition Act, were no less professing Christians than they who carried it through Parliament. In fact, churchmen were among the most extensive slaveholders in feudal times ; and wherever they have been possessed of undue power, they have abandoned it only when shamed out of its exercise by the influence and example of the laity ; their interests, (as priests, hostile to innovation,) and their dormant sympathy, (as men, placed above the reach of want or the necessity of labour,) have but too generally placed them in alliance with despotism, in whatever hands it may have been vested. As a body, we find them, with very few exceptions, active in their zeal against liberty, and fanatical in repressing all light that is hostile to their supremacy ; and at the present moment, the priests of the Continent are every where preaching and enforcing political slavery, and loading the laity with chains.* While the nations of

* The parochial clergy of France, of Italy, of Scotland, and of Catholic Ireland, afford many honourable exceptions to this rule. The reasons for this state of opinion are too obvious to need a statement.

Europe were poor and ignorant, the church put not forth a finger to redeem them from slavery; and when, after a lapse of ages, other agents introduced wealth and knowledge, and elevated man in his own estimation, the church was compelled to follow, but never took its place in the van of improvement.

The hazarding such observations as these will, perhaps, afford a handle for those whose interests are concerned, to stigmatize the man, who advances them, with hostility to religion; but before such an accusation is advanced, it behoves the accuser to reflect how little he serves the interests of Christianity, by amalgamating it with whatever is odious and atrocious in persecution. If the slavish doctrines professed by too many of the clergy are truly gospel doctrines, then will the light of natural reason lead every feeling and reasoning mind to reject those doctrines, however great soever the testimony which may be brought in their favour; for heaven cannot be false nor inconsistent, and the law of God is impressed in our innermost instincts, which sanctions the desire of freedom and the resistance to oppression.

JURISTS have distinguished rights into perfect and imperfect; that to say, rights which may be lawfully defended by force, and rights which are only to be maintained by process of law. This distinction is founded in nature. The organization, in giving rise to desires, and supplying the means of their gratification, has placed the animal in very various relations with externals. In respect to those most

immediately necessary to the preservation of the animal, the right or power of exertion is very closely connected with the obligation to its exercise. The right of self-defence is coupled with an imperative instinct, commanding resistance. Upon this instinct no extrinsic obligation can operate; since the destruction of life being the heaviest penalty which the law can inflict, it is altogether without the means of imposing on the will of him whose existence is attacked by force.

In our existence are involved those things which are essentially necessary to its permanence, or are so coupled with our happiness as to make life unendurable without them. Hence resistance to attacks on personal liberty, property, the life and honour of our wives and children, is an instinct scarcely less imperative, and its freedom of action is admitted as just and reasonable by lawgivers, jurists, and moralists.

The exact point in which perfect rights cease, and those rights begin which the social animal should trust to the guardianship of the laws, is difficult to fix;* because it is not possible to judge of each man's particular instincts, or estimate the value he puts upon each object. The laws of Eu-

* " Nevertheless, perfect rights can only be distinguished by their value; and it is impossible to ascertain the value at which the liberty of using extreme violence begins."—*Paley*.

In general, however, society is warranted in depriving the individual of his right to defend interests, when their violation is not attended by an irremediable evil; and when the society possesses a full power of effectual protection to the individual attacked.

rope have taken the defence of personal honour from the subject, without, however, establishing jurisdictions for its defence. Custom, therefore, leaves each man in possession of that right; and duellists, where fairness and equality in the fight have been observed, are usually exempted from the punishments denounced against murderers. As a general rule, it may be observed that the right of taking life should not be legally acknowledged, in the defence of interests, not protected by the infliction of capital punishment on those convicted of attacks upon them.

Of the powers exercised by man, those which arise out of the necessary play of the organization, and are essential to existence, have been termed natural rights; while the powers he derives from the co-operation of society are termed acquired rights: the obligations by which the first are protected lie in the force of things, those which uphold the second, lie in the force of persons.

The distinction, which has been imagined, between rights which may, and rights which may not be renounced, is founded upon the confusion already noticed respecting right and obligation.

The right of a father in his children cannot be renounced, because it is coupled with the obligation to protect and nourish them, an obligation which is imperative on every well-organized animal. His personal interest in the child, as a possession, he may renounce; but the obligation to rear his offspring cannot be renounced, without endangering the existence of the species.

TO SUM UP, then, in a few words, the result of this investigation ; those things, which are claimed by man, under the denomination of rights, are in fact *powers* ; powers, namely, of acting for the increase of happiness. Their first foundation is the organic possibility of exercising them ; to say that a man has a right to do any physical impossibility, is an absurdity.

Their next foundation is the possibility of so controlling the volitions of our fellow creatures, that they shall not interfere with the exercise of our organs, in that specific direction. There is an inherent tendency in all men to impress their own volitions on those of others, and to annihilate the rights of their neighbour for the extension of their own power. Liberty, therefore, cannot be universal, except where the powers of all classes in the state are equipollent.

The perception of the moral fitness of any right, is a motive calculated to render it respected on account of the pleasures it offers, or the pains it averts from society at large. In this consideration alone rests the whole weight of moral obligation ; and, though with a reasonable person this weight *ought* to be paramount, in point of fact it very seldom *is* so ; being encountered and mastered by a vast variety of other motives, derived from influences acting on the personal tendencies. This being the fact (and a fact constantly observable from the beginning of recorded history), it is idle in moralists to hope for any effectual change in human affairs, from appeals to reason ; and it is absurd to rely

upon moral motives as having, *de jure*, a weight, which *de facto* they do not possess.

The due distribution of the powers of a state, can only then be effected, by a due distribution of knowledge and virtue among the citizens. Liberty, like life, is a forced condition ; it cannot repose upon institutions, but must be maintained by an active exertion of the powers by which institutions themselves are created.

The obligation of the weaker to submit to the stronger, lies in the capability of being affected by his volitions. The obligation of the stronger not to abuse his supremacy, is placed in his liability to lose power by its misapplication ; and in the possibility of changing the balance against himself, by energizing his victim to resistance, and developing in him a volition, which the oppressor cannot resist.

Moral and physical obligation, the force of persons and of things, upon the will, are both essentially the same ; consisting in the sum of pleasure and of pain these things or persons can occasion. These, being fixed quantities, cannot be influenced or altered ; persuasion, therefore, consists merely in rendering the operations of cause and effect sensible ; and in stimulating the tendencies, by the suggestion of ideas calculated to rouse them to activity.

This resolution of all rights into the right of the strongest, is not the abandonment of mankind to the capricious volitions of a few despots ; but, on the contrary, tends to the establishment of liberty, by impressing upon the people the neces-

sity of fulfilling their duties to the community as citizens, and of not abandoning those means of self defence, without which they can hope for very little commiseration or forbearance from any government.

It is also further favourable to liberty, by shewing that there are certain rights and powers, which, from the very nature of things, cannot be abandoned with impunity: that political equality is placed under the sanctions of the law of nature; that it rests upon appreciable facts, and not upon metaphysical reveries; and, lastly, it is favourable to liberty, by inspiring moderation in the strongest, and warning the depositaries of power against a licentious abuse of their supremacy, which endangers the permanence, and circumscribes the utility of the authority they misemploy.

The conclusions thus drawn respecting civil conduct, are equally applicable to the management of individual powers. The powers of the organization are all rigorously modelled upon its necessities. The power of muscular motion, of digestion, of sensation, are all adapted to their specific end. They cannot, therefore, be forced into inordinate activity, without the loss of inherent force—without exhaustion and disease. The painful consequences of excess, form the sum of moral obligation to moderation and sobriety, in the use of the non-naturals. In as far as any individual disregards these obligations, he becomes more unequal to struggle with the elements, to procure nourishment, to maintain his rank in society, and

to enjoy life through the healthy exercise of his organs—

To be weak is to be miserable,
Doing or suffering;

and both as individual and as citizen, happiness can only be procured, by maintaining the force of the organization (mental and corporeal) unimpaired by excess, uncrippled by ignorance, and unrestrained by the encroachments of individual interests upon the public volitions.

The first of these was the discovery of gold in California in 1848. This led to a great influx of people to the West, and the establishment of many new settlements. The second was the discovery of gold in Colorado in 1859. This also led to a great influx of people to the West, and the establishment of many new settlements. The third was the discovery of gold in Nevada in 1859. This also led to a great influx of people to the West, and the establishment of many new settlements.

The fourth was the discovery of gold in Idaho in 1860. This also led to a great influx of people to the West, and the establishment of many new settlements. The fifth was the discovery of gold in Montana in 1862. This also led to a great influx of people to the West, and the establishment of many new settlements. The sixth was the discovery of gold in Wyoming in 1869. This also led to a great influx of people to the West, and the establishment of many new settlements.

CONCLUSION.

WE are now arrived at a point, from which, if the observations contained in the preceding chapters be well founded, the reader will be enabled to lay down a clear and satisfactory theory of human action, such as will put the subject nearer on a level with the natural sciences, of which, in fact, it is but a branch.

In the endeavour to render moral science a result of observation, unincumbered with doctrines derived from mere abstract reasoning, we elevate rather than depress it in the scale of human inquiries; and we gain much more in precision and practical utility, than we lose by the absence of those illusions, whose sublimity is in a great measure derived from their vagueness.

In mechanics, a bare inspection of the wheels and levers of a machine in action, is sufficient to enable a scientific observer to discover the tendency of its movements, without any acquaintance with the force from which it derives its activity. The same is the case with the living organization. Whether the *primum mobile* of vital action be an immaterial soul, a galvanic, or other unknown fluid, or a force inherent in the living fibres, cannot in the least influence the phenomena; from which

alone we are warranted in drawing any generalizations, or forming conclusions concerning the powers of the animal.

The considerations which have been derived from the abstract idea of duty, even admitting them to be well founded, are eminently unfruitful in results favourable to the improvement of the species. For if the notion of a moral obligation has never operated on the mass of mankind to subtract them from worldly influences, but has uniformly left them, precisely what circumstances would have rendered them without its interference, then that obligation in the theory of causes must be taken as if it did not exist. On the other hand, it gives, when admitted into our reasonings, a most embarrassing vagueness to our notions of conduct, and of the means which nature has put in our hands for bettering the physical and moral condition of nations.

If, however, we view human conduct as necessitated, and man as in all cases obliged to act in obedience to his organic and intimate feelings of utility (i. e. to do the thing which promises the species of good, which has the greatest attraction in his imagination); the whole scope of morals, considered as an art, will be to determine the real bearings of actions, to trace them to their remotest results, and to seek the utility of conduct in its most diffusive and general consequences.

All that relates to the management of the person (temperance, sobriety, cleanliness, gymnastics) en-

ters equally into the domain of physic and of morals, and in this point moral and natural science are identical; the utility of virtue being so obvious, that disease and suffering are inseparable from vice.

The same intimate connection subsists concerning the relations which arise out of property. Prudence and parsimony, extravagance and folly, produce their definite effects on our estates, from which there is no escape: shall it then be pretended, because we cannot in all cases reach an elevation sufficient to take a bird's-eye view of the connection of events, that the same law does not operate respecting our conduct in civil and political cases?

A moral code, well constituted, would be a deduction from physiology, political œconomy, statistics, and experience of the operations of conduct on society. The discovery of one physical fact alone (the proportion between the multiplying powers of man, and of the productions on which he feeds) leads to the most important moral consequences. For if in this proportion there lurks an insuperable tendency towards moral degradation, that can be combated only by a moral sentiment, there exists in that consequence a paramount motive for improving the condition of the lower classes, for raising the dignity and value of man, for propagating instruction, and securing liberty.

A code formed upon observation, would not preach the annihilation of the passions, which it is impossible to effect; it would not teach that man

ought to be other than his organization makes him. It would not inculcate that vice is in itself wholly pleasurable, and that without extrinsic punishments, there is nothing in it to repel. It would not announce punishments as acts of vengeance, either of an offended deity, or of the public authorities. It would not impute crime to man, as a free agent, but as a sentient being, capable of being influenced by extrinsic motives: and lastly, it would not seek in metaphysical relations, the sanctions of rights and obligations: but, regarding them as physical facts, as powers exerted and necessities obeyed, it would teach that the civil, as the natural man, can have no rights, where he can exert no force; nor escape from any obligation, but by avoiding the pains in which its obliging power resides.

In such a system, virtue, prudence, and pleasure would be strictly synonymous; since the sacrifice of present enjoyment would never be required, but as the price of a greater contingent good. All the loveliness and attractiveness, which belong intrinsically to virtue, would become apparent, when thus stripped of the severe and repelling mask with which fanaticism has covered them. Our duties, ceasing to be tasks, executed at the bidding of lawgivers, or under the terror of unknown and immeasurable punishments, would become objects of desire and regret, even when the organization might be most hostile to their fulfilment. The appalling suite of demons, and of men scarcely less abhorrent from our dispositions than demons, cannot,

in the scheme of nature, be essential to good order: and it is rendered necessary only in societies in which man, displaced, and compelled to employ his forces to disadvantage, does not find in his labours that reward which nature has appointed as their motive and their end. Where misery and privation, and hopeless ignorance are the concomitants alike of industry and of indolence, of sobriety and of disorder, an imposing phantom, half deity, half devil,* may be necessary to goad the people to their irksome toil; but to say nothing of the blasphemy of such misrepresentations of the great Author of nature, this is a condition of society that no good man would tolerate, and no wise one advocate.

Under a code like that now contemplated, the victim of vicious habits, or unruly passions, would be an object of commiseration. The instinctive feeling which repels man from evil, must, under all circumstances, force him to dislike those that are stained with deep criminality: for the feeling being intimately blended with the instinct of self-preservation, cannot be changed by any speculative opinions. But, like all other instinctive movements, it may be, on occasions, modified by reason, and directed with greater certainty and pre-

* Τὴν δὲ δεῖσιδαιμονίαν, καὶ μὴνύει τ' ἔνομα, δόξαν ἐμπαθῇ καὶ δέους ποιητικὴν ὑπόληψιν ἔσαν, ἐκταπεινῶντος καὶ συντρίβοντος τὸν ἄνθρωπον, οἰόμενον τ' εἶναι θεῶς, εἶναι δὲ λυπηρὲς καὶ βλαβερούς.

Plutarch de Superstitione.

cision to the attainment of its peculiar object in the economy. It would be tempered by a consideration of the causes and consequences of actions; and while the incorrigible offender would be avoided, like the volcano, the avalanche, or any other physical cause of suffering, the sympathy of humanity would still prevail: the criminal would be regarded in his double capacity of agent and patient; and on earth, as in heaven, there would be more joy over the repentant sinner, than over him whose errors never suggested a doubt or a sigh.

The conviction that man can do nothing for himself, and that the whole force he possesses over his organization is derived from society (teaching that great crimes, when epidemic, must proceed from great errors in social arrangements, and from the failure of those appliances which should promote civilization), would turn public attention more frequently, and efficaciously, to those fundamental institutions, whose errors and defects are now regarded only in times of great political turbulence. The business of legislation would not so lightly be undertaken, and public morals would not so frequently be endangered, to extort a paltry tax, or to bolster a silly privilege: nor would the criminal and correctional codes be overladen with so many jarring and contradictory enactments, which the existing mania of law-making has occasioned.

Under this system, a criterion of action would be adopted, which could never fail, except in those rare cases, which belong rather to casuistry, than to real life;—a criterion, which, unlike that of

Paley, would be the same for all men, whatever may be their faith or their incredulity in matters of religion;—a criterion, therefore, that would subsist amidst the most sudden revolutions of opinion, and in all the vicissitudes of artificial institutions;—but, above all, a criterion which no interests of a class or a caste could falsify, and render subservient to the political and mental degradation of the rest of the community.

FINIS.

LONDON:

PRINTED BY COX AND BAYLIS, GREAT QUEEN STREET



